

JACQUELINE NEAL, PH.D.
UNITED STATES vs STATE OF GEORGIA

January 19, 2023

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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

United States of America,

No.

1:16-CV-03088-ELR

Plaintiff,

vs.

State of Georgia,

Defendant.

~~~~~

VIDEOTAPED DEPOSITION OF

JACQUELINE NEAL, Ph.D.

January 19, 2023

9:21 a.m.

4371 Old Highway 5 South  
Ellijay, Georgia 30540

Marcella Daughtry, RPR, RMR  
Georgia License No. 6595-1471-3597-5424  
California CSR No. 14315

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1 THE VIDEOGRAPHER: Hi. Good morning. We are  
2 now on the record. The time is now 9:21 a.m. Eastern  
3 Time on Thursday, January 19th, 2023.

4 This begins the videotaped deposition of  
5 Ms. Jacqie Neal, NorthStar GNETS director, taken in the  
6 matter of United States of America versus State of  
7 Georgia, case number of which is 1:16-cv-03088-ELR.

8 The videographer today is myself, Carlos  
9 Andreu. The court reporter today is Marcella Daughtry.  
10 We are both representing Esquire Deposition Solutions.

11 Counsel, please announce your name and whom you  
12 represent. After which, the court reporter will swear in  
13 the witness.

14 You may proceed.

15 MS. CHEVRIER: My name is Claire Chevrier, and  
16 I am representing the United States.

17 MS. GARDNER: Kelly Gardner, and I represent  
18 the United States.

19 MR. NGUYEN: Hieu Nguyen representing the  
20 witness and the GNETS program.

21 MR. BEDARD: Ed Bedard on behalf of the State,  
22 joined by my colleague Danielle Hernandez.

23 >>>

24 >>>

25 >>>

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JACQUELINE NEAL, Ph.D.,  
called as a witness herein, having been first duly sworn  
by the shorthand reporter to speak the truth and nothing  
but the truth, was examined and testified as follows:

EXAMINATION

BY MS. CHEVRIER:

Q Good morning, Dr. Neal.

A Good morning.

Q Thank you for coming in today.

A Sure.

MS. CHEVRIER: This is the deposition of  
Dr. Jacqie Neal in the lawsuit titled United States  
versus Georgia, Case Number 1:16-cv-03088 in the United  
States District Court for the Northern District of  
Georgia.

Q BY MS. CHEVRIER: Dr. Neal, for the record, I'd  
like to reintroduce myself. My name is Claire Chevrier,  
and I am a trial attorney in the Educational  
Opportunities Section of the Civil Rights Division of the  
United States Department of Justice, and I represent the  
United States in this lawsuit and will be taking your  
deposition today.

A Okay.

Q Would you please state and spell your name



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1 for -- for the record.

2 A Full name?

3 Q Yes, please.

4 A Full name is Jacqueline, J-a-c-q-u-e-l-i-n-e.

5 Last name Neal, N-e-a-l.

6 Q Thank you.

7 And I'm sure your attorney has explained much  
8 of this to you, but we are basically going to have a long  
9 conversation today. I am going to ask you questions, and  
10 it's your job to answer the questions honestly and  
11 completely. Okay?

12 A Uh-huh.

13 Q You were just sworn to tell the truth by the  
14 court reporter, and the oath that you took is the same  
15 oath that you would take if you were testifying in a  
16 court of law and puts you under the same obligation to  
17 tell the truth that you would be in court.

18 A Okay.

19 Q My questions and your answers will be recorded  
20 by the court reporter, and please understand that you  
21 will need to speak clearly and answer questions orally so  
22 that the court reporter can capture your answer  
23 accurately. So, for example, she is unable to record a  
24 nod or a head shake.

25 Does that make sense?

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1 A Yes.

2 Q The other thing that you and I will have to  
3 avoid doing is talking over one another, which is easier  
4 said than done. I will do my best not to interrupt you  
5 when you are answering, and I will ask that you do your  
6 best to let me finish a question even if you know the  
7 answer already, for example.

8 A Okay.

9 Q If at any point you do not understand a  
10 question, you should feel free to stop me and say so, and  
11 I will clarify the question. Okay?

12 A Okay.

13 Q Note that your attorney may occasionally object  
14 to my questions, and this is to put their objection and  
15 the issue on the record, but it does not mean that you  
16 shouldn't answer the question. Unless counsel tells you  
17 not to answer, you should go ahead and answer.

18 A Okay.

19 Q And I will note for the record that your  
20 counsel and I have come to an agreement that they will  
21 reserve all objections except to form and privilege.

22 Dr. Neal, if you want to take a break for any  
23 reason, that's fine. I just ask that if there is a  
24 question pending or if you are in the middle of an  
25 answer, that you finish answering before taking a break.

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1 A Okay.

2 Q Sometimes it happens that you will give an  
3 answer as completely as you can and later on, maybe five  
4 minutes or maybe an hour later, you will remember some  
5 additional information in response to that earlier  
6 question. If that happens, please just let us know if  
7 there is anything you want to add, and you can do so.

8 A Okay. Thank you.

9 Q How are you feeling today?

10 A I'm doing well. Thank you.

11 Q Is there any reason why you would not be able  
12 to answer questions fully and truthfully today?

13 A Not that I'm aware of.

14 Q For example, you aren't taking any medication  
15 that would inhibit your ability to answer my questions?

16 A No.

17 Q Good.

18 Do you have any questions before we proceed?

19 A No.

20 Q That's good.

21 I'd like to ask the court reporter to mark this  
22 exhibit as Plaintiff's Exhibit 844.

23 (Plaintiff's Exhibit 844 was marked for  
24 identification.)

25 Q BY MS. CHEVRIER: Dr. Neal -- Dr. Neal, this is

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1 the Certificate of Service filed with the court that  
2 states that the United States served a subpoena on  
3 January 3rd, 2023 for your testimony at this deposition  
4 in connection with the lawsuit against the State of  
5 Georgia relating to the Georgia Network for Educational  
6 and Therapeutic Supports program, or commonly referred to  
7 as the GNETS program.

8 Have you seen the attached subpoena to testify  
9 before?

10 A Yes.

11 Q When did you see it?

12 A I don't know the precise date. Probably, I'm  
13 guessing, about six weeks ago or so.

14 Q And who showed it to you?

15 A I received an e-mail from my director and  
16 Mr. Nguyen.

17 Q And what's your understanding of what this  
18 lawsuit is about?

19 A My understanding of the lawsuit is that there  
20 has been questions as to whether the way the GNETS  
21 programs are structured creates an ADA violation,  
22 essentially, so...

23 Q And how did you come to be aware of the nature  
24 of this lawsuit?

25 A Really just by reading the actual letter of

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1 concern that initially came out, and then the subsequent  
2 kind of litigation.

3 Q Did you learn anything about this lawsuit from  
4 any particular individuals?

5 A I mean, obviously, there is our State  
6 Department representatives have also at some level  
7 explained the suit to us. At one point the State  
8 attorneys came in and spoke with us in a GNETS directors  
9 meeting, so...

10 Q And do you know the names of those individuals?

11 A Not right off the top of my head. I mean,  
12 obviously, our State director, I do. It's Vickie  
13 Cleveland. Before that it was Nakeba -- I'm blanking on  
14 her last name.

15 Q Is it Rahming?

16 A Yes, thank you. Yeah.

17 So those have been the two that have been in  
18 place during the lawsuit.

19 Q And have you read it -- and it sounds like you  
20 have. Have you read any court filings in connection with  
21 this lawsuit?

22 A Mainly just the initials, yeah.

23 Q And by "the initials," do you mean the initial  
24 complaint?

25 A Correct.

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1 Q And am I correct that you are being represented  
2 by Mr. Hieu Nguyen for purposes of your deposition today?

3 A Yes. Hieu Nguyen, yeah.

4 MR. NGUYEN: Yes.

5 THE WITNESS: Make sure it's all correct.

6 Q BY MS. CHEVRIER: And did you talk to anyone to  
7 prepare for this deposition today?

8 A Just my attorney.

9 Q And that's Mr. --

10 A Yes.

11 Q -- Hieu Nguyen?

12 And what did you do to prepare for this  
13 deposition today?

14 A I mean, mainly just assisted with the  
15 collection of the records that were requested, so...

16 Q And did you meet with your counsel?

17 A We had a phone conversation.

18 Q And was anybody else present for that phone  
19 conversation?

20 A Just myself.

21 Q And how long did you have that phone  
22 conversation for?

23 A 15 minutes, maybe.

24 Q And did you read any deposition transcripts in  
25 this litigation prior to this deposition today?

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1 A No, ma'am.

2 Q And did you talk with anyone else about this  
3 deposition other than your attorney?

4 A Only to reserve the space for the meeting.  
5 Obviously, my director here at RESA is aware, so just to  
6 know it was occurring, primarily. And then my program  
7 staff know I'm unavailable today due to being here.

8 Q Other than logistics for attending, did you  
9 have any more substantive conversations about this  
10 deposition with anyone?

11 A No.

12 Q Did you speak with anyone at GaDOE?

13 A No.

14 Q Any other regional GNETS program directors?

15 A No.

16 Q And apart from the documents shown to you by  
17 counsel, did you look at any other documents to prepare  
18 for today's deposition?

19 A No.

20 Q And did you -- did you ask for any documents  
21 that might be relevant for today's deposition?

22 A No.

23 Q And did you do anything -- did you do anything  
24 else to prepare for today's deposition?

25 A Pray.

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1 Q And have you ever been deposed before,  
2 Dr. Neal?

3 A No.

4 Q And have you ever been a plaintiff in a  
5 lawsuit?

6 A No.

7 Q And have you ever been a defendant in a  
8 lawsuit?

9 A No.

10 Q There are a number of acronyms and definitions  
11 that I'd like to go over to confirm that we have the same  
12 understanding going forward, if that's okay.

13 When I refer to "GaDOE," do you understand that  
14 I mean the Georgia Department of Education?

15 A Yes, ma'am.

16 Q And when I refer to "GNETS" or "GNETS program,"  
17 do you understand that I am referring to the Georgia  
18 Network for Educational and Therapeutic Support?

19 A Okay, the overall umbrella?

20 Q Yeah.

21 A Okay.

22 Q When I refer to "regional GNETS program," I am  
23 referring to one of the 24 regional GNETS programs across  
24 the state of Georgia.

25 A Okay.



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1 Q When I refer to "NorthStar," I am referring to  
2 NorthStar Educational and Therapeutic Services, which is  
3 one of the 24 regional GNETS programs, correct?

4 A Okay.

5 Q When I say "GNETS center" or "centers," I am  
6 referring to a stand-alone GNETS location.

7 A Okay.

8 Q And when I refer to "GNETS school-based  
9 locations," I am referring to a GNETS location that is  
10 based in a general education setting.

11 A Okay.

12 Q And when I say "general education setting," I  
13 am referencing a public school in Georgia where students  
14 with emotional and behavioral disorders and other  
15 behavioral health conditions receive instruction and  
16 services alongside students who do not have disabilities.

17 A Okay.

18 Q When I say "EBD," I am referring to emotional  
19 and behavioral disorders.

20 A Uh-huh. Okay.

21 Q When I say "LEA," I am referring to local  
22 education agency or school district.

23 A Okay.

24 Q When I say "RESA," I am referring to Regional  
25 Education Service Agency.

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1 A Okay.

2 Q When I say "IEP," I am referring to Individual  
3 Education Program.

4 A Okay.

5 Q When I say "B-I-P" or "BIP," I am referring to  
6 a Behavior Intervention Plan.

7 A Okay.

8 Q And when I say "FBA," I am referring to a  
9 functional behavior assessment.

10 A Okay.

11 Q Moving on, what college did you graduate from?

12 A Several. So my undergrad is from -- I actually  
13 have an associate's from Waldorf College. I have a --

14 Q Hold on. Let's go one at a time.

15 A Sorry.

16 Q No, that's fine.

17 So your associate's from Waldorf College, what  
18 year was that that you graduated with the associate's  
19 degree?

20 A It probably was -- oh, my gosh, I should know  
21 that. I'm trying to think. Okay. It probably would  
22 have been -- I think I graduated in -- oh, my God.

23 Q You can give us an approximate --

24 A Yeah.

25 Q -- if it's helpful.

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1 A I mean, it was two years after I graduated from  
2 high school, so...

3 Q And what year did you graduate from high  
4 school?

5 A That's what I was trying to remember. 1986, so  
6 probably '88.

7 Q And what was the focus of that associate's  
8 degree?

9 A It was an associate of arts in social  
10 administration.

11 Q And then what is next?

12 A So then I have a bachelor's degree from the  
13 University of Nebraska at Omaha in social work.

14 Q And what year was that?

15 A So that would have been '91.

16 Q And then what came next?

17 A So after that I got a master's degree in social  
18 administration from Temple University.

19 Q And what year would that have been?

20 A So I'm going to say '93.

21 And then I got my doctorate degree from Georgia  
22 in educational psychology, and that would have been  
23 probably 2015, 2016.

24 Q And by Georgia, that's the University of  
25 Georgia?

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1 A Yes, Georgia State University.

2 Q Georgia State University?

3 A Yes, exactly.

4 Q Okay. And do you hold any professional  
5 certificates or certifications?

6 A I have a Georgia certification as a -- a  
7 service certificate.

8 Q And when did you receive that?

9 A 1996.

10 Q Okay. And what is meant by "service  
11 certificate"?

12 A So just because my degrees are in social work,  
13 that was the first certificate I was -- you know, to work  
14 in education here in the state of Georgia.

15 Q And so what does -- what does it certify you to  
16 do?

17 A So it depends on the position, obviously. It  
18 qualified me for the director position here. Prior to  
19 that, I was a continual improvement specialist in Cobb.  
20 I could do social -- you know, social work support within  
21 the schools.

22 Q Excellent. Thank you.

23 A Yes. Behavior support.

24 Q And who is your current employer?

25 A North Georgia RESA.

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1 Q What is your job title?

2 A I'm the regional director for the GNETS  
3 program.

4 Q And when did you assume this position?

5 A 2013, I think.

6 Q And who held this position before you?

7 A Dr. Paul Baker.

8 Q And who do you report to currently?

9 A Steve -- Dr. Steve Miletto.

10 Q And where does he work?

11 A Here at North Georgia RESA.

12 Q And do you report to anybody else?

13 A I have a board of the superintendents in each  
14 of our systems.

15 Q And by "each of the systems," are those  
16 different school districts?

17 A Yes.

18 Q And so you report to the board and the  
19 superintendent from each of those school districts?

20 A Correct. Correct.

21 Q Is there anybody else that you report to?

22 A Huh-uh. No.

23 Q Does anybody report to you?

24 A Yes.

25 Q And who is that?

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1 A I have about 40 staff.

2 Q Can you generally talk about what their  
3 positions are?

4 A So we are structured -- obviously, we have  
5 teachers and para pros in the classrooms who are under  
6 our direct supervision. I have support staff, such as  
7 registered behavior technicians. We have therapeutic  
8 staff, such as social workers or licensed professional  
9 counselors. And then I have supervision staff, which are  
10 either coordinators -- primarily coordinators.

11 Q And do you have a working relationship with any  
12 RESA?

13 A North Georgia RESA.

14 Q And do you have any periodic performance  
15 evaluations?

16 A Yes.

17 Q How often?

18 A So I have an annual evaluation here at RESA.

19 Q And that's at the North Georgia RESA?

20 A Correct. Correct.

21 Q And can you describe that evaluation process?

22 A It's changed a little bit. I have a new  
23 director, so he's just here. But so we set a goal every  
24 year. We have a midyear review of that goal, and then  
25 I'm assuming we'll have a kind of end-of-year kind of

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1 review to see how we are progressing. So in general to  
2 him, just kind of doing general supervision over, you  
3 know, management of the program, communication with the  
4 board. He also kind of helps with the, you know,  
5 personal learning goal.

6 Q And I hear what you said about being assessed  
7 on how much you've reached the goals that were set  
8 earlier in the year. Are you assessed on any other  
9 criteria?

10 A Like I said, I'm sure there's other general  
11 criteria. Like I said, we've got a different structure  
12 this year, so primarily it's, you know, been around  
13 establishing our -- my learning goal so far is what we  
14 have been discussing, so...

15 Q What about in previous years with different  
16 directors, how are you assessed?

17 A So in general, there has not been a particular  
18 instrument that's been used. Just every year annually,  
19 you know, I get feedback and opportunities to kind of  
20 talk about strengths and weaknesses and where I'm going.

21 Q Outside of the director of the RESA, does  
22 anyone else provide you feedback?

23 A GaDOE, you know, on the strategic plan  
24 implementation will provide feedback.

25 Q And what individuals from GaDOE provide that

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1 feedback?

2 A Vickie Cleveland, primarily. She has an  
3 assistant, LaKesha Stevens, who works with her, but it  
4 primarily comes from Vickie.

5 Q And is any of this feedback provided in  
6 writing?

7 A Sometimes.

8 Q What feedback is provided in writing?

9 A So our last full strategic plan review was in  
10 2019, and there was documentation provided for that.  
11 Sometimes it's an e-mail communication.

12 Q And who maintains that, those documents?

13 A I guess we do.

14 Q And are any of your other evaluations done by  
15 the RESA provided in feedback -- sorry, provided in  
16 writing?

17 A Yeah, they should be on file here.

18 Q And what are your job responsibilities as  
19 director of NorthStar?

20 A So pretty much all operational activities, so  
21 that's everything from HR activities. We do have a  
22 collaborative relationship with the RESA, so they provide  
23 some of our human resources support, as well as budgeting  
24 support and those kinds of things; but I have primary  
25 responsibility in those areas. So hiring; supervising



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1 staff; monitoring policies and procedures; building  
2 maintenance; treatment, you know, aspects, so  
3 communication with our different districts, you know,  
4 acting as a liaison in communication; screening of  
5 students coming into the program. Those kinds of  
6 activities.

7 Q A lot.

8 And do you serve on any committees or working  
9 groups as part of your job responsibilities in this role?

10 A I mean, obviously, I'm part of the board.

11 Q Sorry. And which board is that?

12 A The -- I am sorry, North Georgia RESA Board of  
13 Control. We have a collaborative community that's set up  
14 through the State Department, which is essentially myself  
15 and the rest of the special education directors, so I do  
16 participate in those meetings as well.

17 Q And what is your role on the RESA board?

18 A Just a member.

19 Q And what's your role on the collaborative  
20 community?

21 A Again, just a member.

22 Q And do you sit on any committees or working  
23 groups for any LEA?

24 A No.

25 Q And what about for GaDOE?

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1 A No.

2 Q And do you sit on any committees or working  
3 groups through local community organizations?

4 A Just private things, like community activities.

5 Q And do you communicate regularly with anyone at  
6 GaDOE?

7 A Ask that question again, please.

8 Q Do you communicate regularly with anyone at  
9 GaDOE?

10 A I would say Vickie and LaKesha.

11 Q And that's Vickie Cleveland?

12 A Vickie Cleveland and LaKesha Stevens.

13 Q Thank you.

14 And how frequently would you say that you  
15 connect with them?

16 A Normally it's just kind of as needed, so I  
17 would probably say five or six times a year, you know,  
18 through correspondence; and then, of course, at our GNETS  
19 directors meetings, occasionally there is contact there.

20 Q So you kind of got to my next question. Do you  
21 attend any regular meetings as part of your job  
22 responsibilities at this role?

23 A Uh-huh. Yes.

24 Q And do you -- are any of those meetings with  
25 the LEA or with any of the LEAs?

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1           A    We do have meetings frequently. The LEAs, you  
2   know, obviously, with IEP meetings we're interacting with  
3   them pretty regularly, as well as we usually -- I usually  
4   meet with each LEA two to three times a year just for  
5   various activities, whether it is discussing budgeting,  
6   discussing needs assessments and those kinds of things.

7           Q    We are going to get to this more later, but  
8   what are the different LEAs that you meet with?

9           A    So in my Dalton area, I have Dalton Public  
10   Schools, Whitfield County Schools, Murray County Schools,  
11   and we have Pickens County Schools, Gilmer County  
12   Schools, Fannin County Schools.

13          Q    Thank you.

14          A    You're welcome.

15          Q    And so you meet with each of those LEAs at  
16   different times related to student needs?

17          A    Yes.

18          Q    And are there specific individuals from within  
19   those LEAs that you typically meet with?

20          A    Yes.

21          Q    And who are they?

22          A    So each of the special ed directors, so do you  
23   want me to go by county?

24          Q    Sure.

25          A    Okay. So Dalton City is Pam Wiles. Whitfield

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1 County Schools is Ruthie Rule. Murray County is Andrea  
2 McAllister. Pickens County Schools is Kristy Bone.  
3 Gilmer County Schools is Jessica Chastain, and Fannin  
4 County Schools is Gini Tipton.

5 Q Thank you so much.

6 A You're welcome.

7 Q And how frequently would you say you meet with  
8 each of these individuals?

9 A We probably have communication weekly.

10 Q And that's with each of them?

11 A Yeah.

12 Q And do you attend any regular meetings with the  
13 RESA?

14 A Yes.

15 Q And what are those meetings?

16 A Board of control meetings primarily.

17 (Court reporter clarification.)

18 THE WITNESS: And then I also meet with my  
19 representative here who does our HR and our budgeting.

20 Q BY MS. CHEVRIER: And who is that?

21 A That is Carrie. I am blanking on Carrie's last  
22 name. It'll come to me in a second.

23 Q We can move on.

24 A Yeah, that's fine.

25 Q And if you remember it, we can adjust.

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1 A It will come back to me.

2 Q And how frequently do you have those board  
3 meetings?

4 A So generally we have -- I'm trying to think of  
5 the schedule -- about six a year.

6 Q And what are the topics that are discussed?

7 A Generally, it -- the agendas kind of vary, but  
8 there are different members on the boards. For instance,  
9 I am usually a line item on the agenda. There is our  
10 GLRS director who is also a member of the board who is on  
11 the agenda. The RESA, obviously, has an item typically  
12 on the agenda, whether it's regard to budgeting or -- or  
13 those kind of things that they are reporting back to the  
14 systems that participate.

15 Sometimes the superintendents are involved in  
16 activities like participating in State meetings and  
17 bringing information back, so that could be on the  
18 agenda. So it varies.

19 Q For the record, can you share what GLRS stands  
20 for?

21 A Georgia Learning Resource senate -- center --  
22 systems or center. Systems, maybe.

23 Q Thank you.

24 A It's a State organization.

25 Q And I know that you said that your role is as a

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1 member, but what responsibilities do you have in that  
2 role?

3 A It's primarily to keep the board apprised of  
4 any issues regarding our program improvement activities,  
5 our needs, or, you know, any issues, you know, regarding  
6 GNETS that our superintendents would need to be aware of.

7 Q And do you have any -- do you attend any  
8 meetings with GaDOE?

9 A Yes, directors meetings.

10 Q And so with whom from GaDOE participates in  
11 that meeting?

12 A Typically that's Vickie Cleveland and LaKesha  
13 Stevens.

14 Q And who else participates in those meetings?

15 A Occasionally they invite in other people from  
16 the different departments in GaDOE, so it just depends  
17 on -- you know, like in the last meeting they had someone  
18 there that was from one of the advocacy offices in terms  
19 of resources for parents, in terms of advocacy for parent  
20 rights.

21 So it could be -- it could be any department in  
22 GaDOE. It could be budgeting or just anything they think  
23 we need to be aware of in terms of resources that are  
24 provided through GaDOE that we could be accessing.

25 Q Do you remember the names of any individuals

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1 from GaDOE who attended outside of Vickie Cleveland and  
2 LaKesha Stevens?

3 A There's been so many. I can't off the top of  
4 my head, no.

5 Q And how frequent are these meetings?

6 A Typically, again, we probably have about six  
7 that are scheduled throughout the year.

8 Q And what is discussed typically?

9 A So as I mentioned, sometimes it could be just  
10 deadlines or, you know, in terms of when things need to  
11 be presented, or if there's gonna be reviews or those  
12 kind of things, those things are discussed. A lot of  
13 times it's sharing of information, like I said, from the  
14 different departments just in terms of resources that are  
15 out there. So those folks might come in and do a  
16 presentation or those kind of things just kind of  
17 explaining what they do, what the resources are, you  
18 know, how we would access those services, that kind of  
19 thing.

20 Q Outside of the GNETS directors meetings, do you  
21 have any other meetings with GaDOE?

22 A I would -- probably not that are direct. I  
23 mean, like we see them at some of the other State  
24 meetings that -- like some of the State educational  
25 meetings. For instance, there is something called

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1 G-CASE, which I don't even know what G-CASE stands for,  
2 but Georgia Council for Exceptional Students or  
3 something.

4 So, you know, we might interact with them some  
5 in those environments, but that tends to be just more  
6 ancillary crossing paths kind of.

7 Q And have you at any point had meetings related  
8 to the strategic plan with GaDOE?

9 A Uh-huh. Yes, we have.

10 Q And how frequently do those occur?

11 A So, obviously, there was -- when that was ruled  
12 out several years ago there was some more training  
13 aspects and meetings that occurred kind of with that; and  
14 kind of subsequent to that, it's more check-ins and  
15 reviews. So primarily, you know, it's the submission of  
16 those documents at the end of the year now with them,  
17 kind of. Then like this year they came back and met with  
18 us and, you know, just provided feedback on our  
19 self-assessments.

20 Q And when you say check-ins and reviews, that's  
21 with GaDOE staff?

22 A Correct.

23 Q And is that Vickie Cleveland and LaKesha  
24 Stevens?

25 A Yes. Yes.



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1 Q And before when we were discussing the GNETS  
2 directors meetings, you mentioned the different deadlines  
3 are often discussed.

4 A Uh-huh.

5 Q What kinds of deadlines are discussed?

6 A So there are several assessments that we get  
7 within the network, so, and they like those to be  
8 delivered in some windows, and so they might be  
9 communicating what those expectations are.

10 Sometimes it's, again, budgeting kinds of  
11 things that they're just emphasizing in terms of when  
12 they need documents submitted, or we have a grant, you  
13 know, that needs to be submitted each year. It can be  
14 something like Positive Behavior Interventions and  
15 Supports or PBIS, and documentation that needs to be  
16 presented to the State for those kinds of activities.

17 Q And who determines those deadlines?

18 A Some of them are State determined for the  
19 different departments. So like PBIS would set their  
20 dates, obviously. The GNETS grant and that kind of  
21 thing, that would be Vickie Cleveland and her department.  
22 It really kind of depends on, you know, what the deadline  
23 is that we're talking about, who is setting the  
24 expectation.

25 Q And I know you mentioned a number of different

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1 deadlines and types of expectations, but when you refer  
2 to the State setting the deadline, are -- are you  
3 referring to GaDOE --

4 A Yes.

5 Q -- specifically?

6 A GaDOE. Thank you.

7 Q And have you received any training as part of  
8 being a GNETS director?

9 A Yes.

10 Q What type of training have you received for  
11 this role?

12 A We have had people from budget come in and talk  
13 with us about aspects of our GNETS budget and how, you  
14 know, funds are allocated. Sometimes it's reporting  
15 things. So there's been some in terms of the  
16 communicating with our systems, in terms of how our kids  
17 get counted and those kinds of things.

18 Certainly, we've had some just behavioral  
19 trainings that, you know, we do as a network and those  
20 kind of things that GaDOE has been supportive of. And  
21 like I said, each of -- I consider each of those meetings  
22 we have with different departments kind of training as  
23 well, so there is a number of different activities.

24 Q So you've mentioned a bunch of different  
25 trainings. Who typically provides those trainings?

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1 A So it's usually the people that are most  
2 directly coordinating or delivering those services.

3 Q So let's go specifically by the different types  
4 of trainings. So you said, for example, that you've  
5 received some training related to budgeting. Who would  
6 provide that training?

7 A Again, those people have rotated a little bit,  
8 but like Amber McCollum is one of the folks at the State  
9 Department who has done some training with us over time.

10 Q And I believe you also mentioned training  
11 related to reporting. Who would provide that training?

12 A So if it's like the grants, you know, obviously  
13 that would be Vickie Cleveland setting those deadlines.  
14 If it's PBIS, it would be Sandra -- I'm so bad with  
15 names.

16 Q Is it DeMuth?

17 A Yes, thank you, would set those kind of  
18 expectations.

19 So again, it's going to kind of depend on the  
20 department and who is in charge of those activities.

21 Q You also mentioned receiving trainings related  
22 to behavior. Who would provide that?

23 A Sometimes it's we've done things with the other  
24 GNETS directors. If it's PBIS, again, it might be a  
25 representative from Sandra's division. It could be her

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1 or other folks.

2 Yeah. So again, it would kind of depend on  
3 what the training was.

4 Q For trainings with other GNETS directors, who  
5 would typically provide those trainings?

6 A So it depends again. I have done some of the  
7 training. If it's LSCI, then there is a cadre of  
8 directors who have formal, you know, trainer of trainer  
9 kind of responsibilities for that. So, again, it kind of  
10 depends on what the training is, who's -- who's  
11 delivering it, and where people's specialties are.

12 Q And have you received any training from one of  
13 the LEAs that you work with as GNETS director?

14 A Yes, on different occasions.

15 Q What kinds of trainings?

16 A So sometimes it might be in regards to a  
17 curriculum initiative. Sometimes we're invited in for  
18 like preplanning kinds of activities, so that could be on  
19 everything. Maybe they have a speaker coming in on --  
20 like, for instance, we've done some training with Emory  
21 University and Emily Rubin's group on some of her  
22 training initiatives. So we've done that kind of  
23 collaboratively. It could be something like being  
24 invited in to talk about the new math standards or, you  
25 know, new curriculum expectations, so...

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1 Q And who is Emily Rubin?

2 A She developed the SCERTS program, but she also  
3 has done some active learning kind of training. She --  
4 she's got kind of a cross affiliation, so she's somewhat  
5 affiliated with Emory University, and I think there's  
6 another entity that she is kind of -- but she's been very  
7 active in the state for a number of years.

8 Q And have you received any training from the  
9 RESA?

10 A Yes. I'm trying to think. So they help us  
11 out. So, for instance, we've done some math talks  
12 training with our RESA folks, or Number Talks, I guess is  
13 what the official name of that is. We have done  
14 high-leverage practice training here at the RESA.

15 So, you know, it depends on some of the  
16 offerings. They do have reading and math specialists who  
17 can push in, and sometimes they will push in with our  
18 collaboratives to help with training with our individual  
19 staffing groups.

20 Q And this is all North Georgia RESA?

21 A Correct, primarily.

22 Q You said primarily. Is there -- do you ever  
23 get training from any other RESA?

24 A We can attend trainings with other RESAs. So  
25 I'm trying to think. I think I have been to a couple of

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1 others down in South Georgia, Forsyth. Maybe we have  
2 done a couple of trainings down in that area, so for  
3 different things.

4 Q And how did you get connected with those  
5 trainings?

6 A Usually they come through State announcements.  
7 You know, we're made aware of the different trainings  
8 that are happening.

9 Q And by "State announcements," is that GaDOE?

10 A Generally, yes, yeah. Either that or through  
11 maybe GLRS.

12 Q And what position did you hold prior to being  
13 director of NorthStar?

14 A I was the continual improvement specialist in  
15 Cobb County.

16 Q In Cobb County?

17 A Uh-huh.

18 Q And what years did you hold this position?

19 A 1996 to 2013.

20 Q And was your employer the Cobb County School  
21 District?

22 A It was officially. I was with the GNETS  
23 program there, Haven Academy, but my employer was Cobb  
24 County.

25 Q And what were your job responsibilities in that

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1 position?

2 A So I did all of the behavioral training and  
3 supervision of staff. We had consultation kind of  
4 frameworks that we used, so I visited every classroom,  
5 consulted with staff, and was very involved in all of our  
6 continual improvement activities in the division. I did  
7 all of our staff training, liaised with the county in  
8 regards to any kind of training or developmental needs,  
9 development needs within the county.

10 Q And who did you report to?

11 A Dr. Michael Powell.

12 Q And what was his position?

13 A He's the GNETS director there at Haven Academy.

14 Q And who -- did you supervise anybody?

15 A I had a secretary data person who worked with  
16 me.

17 Q And where were you located?

18 A We, at that time, were located in Smyrna.

19 Q And you said that you went into all of the  
20 different classrooms. Was that more than one physical  
21 location?

22 A No, we were a center-based location.

23 Q And so you only ever had to go to the one  
24 center-based --

25 A Right.

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1 Q -- location?

2 A But I did -- I did go out into the schools as  
3 well. We did have some transition -- what we call  
4 transition classrooms. Again, I was there 17 years so  
5 things evolved and developed a little bit, so we  
6 eventually created what we call transition classrooms.  
7 And so -- and we also served -- in Cobb County, we also  
8 served Marietta City schools, as well as Douglas County  
9 schools, and so I visited all of those sites and  
10 locations.

11 Q Can you describe what you mean when you say  
12 "transition classrooms"?

13 A So one of the things that I noted when I -- I  
14 came initially was that, you know, kids would come to the  
15 center-based location, and then they would be staffed  
16 back to their home school, but there wasn't a lot of  
17 generalization training that was happening, and sometimes  
18 it was kind of very quick, and so that wasn't as  
19 effective.

20 And so what we created was kind of classrooms  
21 that could -- were maybe located either at a neutral site  
22 or in a school-based location that would help kids begin  
23 to generalize skills that they had learned in the center  
24 and get used to the larger settings and begin to, you  
25 know, again, use their skills with different people,



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1 different places, and start to deal with all the stimuli  
2 that they have to deal with in a really large building  
3 with lots of people, which sometimes is very difficult  
4 for our students.

5 Q So students who were in those transitional  
6 classrooms receive GNETS services but outside of the  
7 GNETS center?

8 A Yes.

9 Q And did you provide some of those services?

10 A Sure.

11 Q In your role?

12 A Sure.

13 Q And what kind of services were those that you  
14 used?

15 A Primarily consultation support and behavior  
16 planning support, and then working with LEAs.

17 Q And what kind of behavioral training did you  
18 deliver at Haven?

19 A So we ran the student achievement model while  
20 we were there, which was our kind of version of the Boys  
21 Town educational model. That's what I was hired in 1996,  
22 so I worked previously at Boys Town and was hired to  
23 bring that model and train staff in that model of care.  
24 So we always did five days of training with all of our  
25 staff when they came in on the interventions within that

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1 model, but we did all sorts of other trainings as well.

2 So we did trauma-informed training with some of  
3 Bruce Perry's work. We did developmental training based  
4 on developmental therapy. We did Life Space Crisis  
5 Intervention training. We did academic trainings in  
6 terms of active learning initiatives in some of the  
7 particular -- Cobb County, you know, or it would depend  
8 on the county, but, you know, Douglas County obviously  
9 used Douglas County interventions.

10 So we would either be doing collaborative  
11 training with trainers from those counties or follow-up  
12 training, you know, to kind of make sure as we were  
13 implementing those initiatives or implementing those with  
14 fidelity. So it was pretty wide ranging.

15 We did Ruby Payne's framework working with kids  
16 in poverty. We did, again, some more academic training  
17 with -- I'm blanking on the program name again. Again,  
18 regarding just some high- -- high-yield strategy stuff.  
19 Cobb did a lot of work with -- Thompson is the  
20 gentleman's name. Again, it will come back to me, but  
21 did a number of different academic trainings.

22 Q And is my understanding correct that you worked  
23 with Douglas County and Marietta County because they sent  
24 students to Haven?

25 A Correct. Correct.

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1 Q Okay. And --

2 A And just to clarify, Marietta City Schools is a  
3 city school system within Cobb County, so those students  
4 were served in Cobb County. Douglas County served their  
5 students on their campuses, so... But they weren't all  
6 in one location, just to be clear.

7 Q But both would send students to Haven?

8 A To the Haven umbrella, yes.

9 Q And what was your position before this one?

10 A I was a national trainer for Boys Town.

11 Q And what years did you hold that position?

12 A '91 to '96.

13 Q And your employer for that position was Boys  
14 Town?

15 A Correct. Father Flanagan's Boys Town.

16 (Court Reporter clarification.)

17 Q BY MS. CHEVRIER: And what were your job  
18 responsibilities in that role?

19 A I did national training primarily with  
20 psychiatric hospitals, but also with school-based  
21 entities, especially in regards to special education  
22 needs.

23 Q And who did you report to?

24 A Tom -- oh, my gosh -- Criste. Thank you.

25 Q And did you supervise anyone in this role?

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1 A No.

2 Q And where were you located?

3 A In Omaha, Nebraska.

4 Q And what -- what was your role before that?

5 A I had various other roles. So I think  
6 immediately before that I was in a shelter-based program  
7 where we did counseling with families, but we also had  
8 kids in the shelter-based program, so we were working  
9 with kids directly. But a lot of that work was -- was  
10 working with families to reintegrate kids back into their  
11 homes.

12 Q And what do you mean by "shelter based"?

13 A So the kids were in -- were removed from their  
14 homes typically for 10 to 30 days due to some conflict  
15 kind of occurring and had the child at risk. Obviously,  
16 Child Services was usually involved in those removals.  
17 So it was a temporary kind of stabilization placement to  
18 support families and help get them back on track.

19 Sometimes it was kids coming out of psychiatric  
20 hospitals and it was kind of a step down. So we had both  
21 kind of situations.

22 Q What years did you hold this position?

23 A Man, probably would have been -- I'm gonna say  
24 that was probably 1990, '91. I'm a little bit guessing.

25 Q And what specifically was your position title

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1 for this role?

2 A I don't recall. I think it was like  
3 assistant -- I don't recall.

4 Q And who did you report to in this role?

5 A Again, that was a long time ago.

6 Q And did you supervise anyone in this role?

7 A No.

8 Q And where were you located?

9 A That was in Lincoln, Nebraska.

10 Q And what was your role before this one?

11 A I did do some work in psychiatric hospitals  
12 prior to that as a technician, behavioral technician on  
13 psychiatric treatment boards.

14 Q And what were your job responsibilities in that  
15 role?

16 A So direct interaction with -- it was a  
17 children's unit, so direct interaction with the students.  
18 We did do groups, you know, obviously monitor them in  
19 their therapeutic activities, data collection, charting.

20 Q And who was your employer in that role?

21 A Lincoln General Hospital.

22 Q And who did you report to?

23 A Again, you know, I don't remember the  
24 director's name at that point.

25 Q But it would be the director of --

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1 A Of the child -- the child unit that was there,  
2 yeah.

3 Q And did you supervise anyone in this role?

4 A No, not directly.

5 Q And where was this located?

6 A Lincoln, Nebraska.

7 Q And what about, did you hold any positions  
8 before this one?

9 A That was -- other than fast-food jobs and as an  
10 adolescent, no.

11 Q Okay. And you have been with NorthStar for  
12 almost ten years; is that right?

13 A Correct.

14 Q What kind of changes have you seen in that  
15 time?

16 A Lots of changes. So some of it is, you know,  
17 even going back to when I first came to the -- the  
18 network in general, it was relatively new to talk about  
19 things like teaching replacement skills, functional  
20 behavior assessments, and -- and now that's standard  
21 practice, you know.

22 So certainly academically, I think the bar has  
23 been raised quite a bit, you know, in terms of there is  
24 much more focus on educational excellence and making sure  
25 kids are exposed to standards. And, you know, we've kind

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1 of changed philosophy in special education away from  
2 remediation as -- you know, as much as kind of refocusing  
3 on the standards. And then, you know, the specialized  
4 strategies to kind of fill in the gaps and those kind of  
5 things. So there has been a number of different  
6 strategies.

7           You know, the network has changed, as well. So  
8 the network traditionally has been very strong in terms  
9 of collaboration between directors and kind of sharing of  
10 resources. Resources have gotten a lot thinner over  
11 those years, especially recently. So that's required  
12 some restructuring and forming some new kind of --  
13 putting some new parameters in place for how we fund  
14 services and those kind of things. Some of that is in  
15 regards to changes in federal expectations. Some of that  
16 is in differences in regards to how we do things locally.  
17 So there's been lots of changes.

18           Q And when you say funding has gotten thinner,  
19 what do you mean?

20           A Just in terms of when I -- well, I'll speak in  
21 terms of when I came to NorthStar. You know, there's  
22 been some changes in grant allocations for certain, and  
23 we've had to change, you know, the way our LEAs  
24 contribute to funding. So to kind of make up the  
25 difference to make sure services are still in place,

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1 so...

2 Q And you said that you had to put new parameters  
3 on things. What did you mean by that?

4 A So I'll talk as -- as my role here at  
5 NorthStar. When I first came to the network, pretty much  
6 funding contributions from the local educational agencies  
7 were fairly voluntary, but as our grant allocations kind  
8 of decreased for various sundry reasons, that I had to  
9 come up with a new kind of funding formula to make up the  
10 gap so we could maintain things like therapeutic  
11 services. And so in my first couple of years, that was  
12 one of the things I kind of focused on, was getting a  
13 what -- a proportional allocation system that all  
14 counties committed to to make sure that we could fund the  
15 necessary therapeutic services and educational services  
16 for our students.

17 Q Were there ever any gaps in therapeutic  
18 services as a result of funding?

19 A For the first couple of years I was here.

20 Q And what were those gaps?

21 A So we had to eliminate our counselors that we  
22 had on staff initially when I first came in. We tried to  
23 kind of work collaboratively with outside agencies, but  
24 that was -- they were having tons of turnover and  
25 difficulty staffing their own agencies, and so that's



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1 when I brought in the new funding formula to make sure  
2 the LEAs were contributing so that we could maintain  
3 those services, so...

4 Q And you mentioned having to let go of  
5 counselors on staff. What types of counselors?

6 A So we had -- again, that was the very first  
7 year I took over as director, so I'm assuming that the  
8 one was a licensed psychologist, doctor-level  
9 psychologist. I think we actually had two of those, and  
10 actually, they both decided to leave. And then we had  
11 like an art therapist that was part of the clinical staff  
12 as well.

13 Q And so after they left, they weren't able --  
14 you weren't able to fill those positions due to funding;  
15 is that right?

16 A Correct, at least not for about a year.

17 Q And that's true for the two psychologists and  
18 for the art therapist?

19 A Correct. We did do some contract work, but  
20 yeah, there was a gap in services there for that amount  
21 of time.

22 MS. CHEVRIER: I'd like the court reporter to  
23 mark the following document as Plaintiff's Exhibit 845.

24 (Plaintiff's Exhibit 845 was marked for  
25 identification.)

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1 Q BY MS. CHEVRIER: This is a Certificate of  
2 Service filed with the court that states the United  
3 States served a subpoena on June 24th, 2022 via e-mail to  
4 counsel of record, Hieu Nguyen, correct?

5 A Yes.

6 Q And do you see that the document reads  
7 "Subpoena to produce documents, information, or objects  
8 or to permit inspection of premises in a civil action"?

9 A Yes.

10 Q And are you familiar with this subpoena?

11 A I am.

12 Q Did NorthStar prepare a response to the  
13 document -- to this document by the date on the subpoena,  
14 August 1st, 2022?

15 A By August 1st, no.

16 Q And did you --

17 A Or at least I am not aware.

18 Q And did NorthStar prepare responses to this  
19 subpoena at a later date?

20 A Yes.

21 Q And who was primarily in charge of the effort  
22 to collect the documents --

23 A I was.

24 Q -- requested?

25 Sorry, this is one of those examples where we

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1 need to not talk over each other even if it's an obvious  
2 answer or we'll make the court reporter frustrated.

3 So you were primarily in charge of the effort  
4 to collect these documents?

5 A Yes.

6 Q And what was your role in collecting those  
7 documents?

8 A Physically. In most cases physically  
9 collecting and pulling the information together.

10 Q And did you review each response?

11 A The majority, yes.

12 Q Did anybody else?

13 A I mean, I had secretaries copying files and  
14 those kinds of things, but other than that, yes.

15 Q And do you recall if you received any follow-up  
16 requests for documents from the Department of Justice?

17 A Yes.

18 Q And what were those requests for?

19 A I believe there was an e-mail that just kind of  
20 indicated what had been received and what needed to still  
21 be received.

22 Q And who was primarily in charge of collecting  
23 those additional documents?

24 A I was.

25 Q And did you review each of those responses as

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1 well?

2 A Yes.

3 Q And did anybody else?

4 A No.

5 Q When did you first become familiar with the  
6 GNETS program?

7 A Probably 1993, before the GNETS directors came  
8 to Boys Town to -- they were investigating and looking  
9 for solutions that could increase their program  
10 effectiveness, and so four of them came to Boys Town to  
11 view the continuum of services that we offered there. I  
12 was the person who got assigned to take them on a tour  
13 and then to kind of orient them to those services, and so  
14 that was my first introduction.

15 Q Can you describe the GNETS program?

16 A So we are a statewide constellation of service  
17 providers. There are 24 regional-based programs. We  
18 serve -- we're part of each local education agency's  
19 continuum of services. We're -- the program was designed  
20 in the late -- or in the early '70s to -- out of an  
21 effort that came out of the University of Georgia to try  
22 to get services to students who were not receiving  
23 services at that time, either they were at home because  
24 they were, you know, no longer receiving services through  
25 their systems or they were serving -- being served in

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1 out-of-state residential-type facilities.

2 And the goal was to try to get services closer  
3 to home, more support to families, so that these students  
4 could be served more effectively and get both the  
5 therapeutic services that they required, as well as the  
6 educational services they required.

7 It started as a half-day program primarily  
8 providing therapeutic services, but with changes in  
9 federal law, that became a full-day program where we  
10 integrated the academic components as well. So now we  
11 have 24 regional-based programs that serve LEAs in those  
12 particular agencies, providing both educational and  
13 therapeutic supports to students with social, emotional,  
14 and behavioral difficulties.

15 Q What purpose does it serve?

16 A So the purpose is to try to provide more  
17 intensive -- number one, I would say is to meet IDEA's  
18 requirement that we have a full continuum of services  
19 knowing that students, not one size fits all, and  
20 students need a lot of different kind of models and  
21 opportunities to be successful. And so it's really  
22 trying to make sure that families have that full  
23 continuum of services to kind of meet whatever those  
24 needs that the -- the students have.

25 But we do sit at the end of the continuum. We

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1 are not an option until the LEA has exhausted all of the  
2 other options they have available, and then we can become  
3 an option in that continuum of services. But the goal is  
4 to keep kids close to home, make sure they get the  
5 services they need, you know, in their local communities.

6 Q And what student population does it serve?

7 A So we serve students ages 5 to 21. Again,  
8 special education populations with severe social and  
9 emotional and behavioral difficulties.

10 Q And what were your views on the effectiveness  
11 of the GNETS program for serving students with emotional  
12 and behavioral disorders when you first started working  
13 with the program?

14 A So in my role as a national trainer, I -- there  
15 was a lot of things about the network I liked. I've been  
16 to many other states where, say like in Texas, at that  
17 time they had a regional service kind of framework setup,  
18 but in their setup, kids were kind of -- once kids were  
19 referred to that regional service agency, they were  
20 disconnected from their counties, and so there was a lot  
21 of what I would call dumping kids into those service  
22 systems, especially around testing time and those kind of  
23 things, when people -- so I liked the fact in the GNETS  
24 system that kids stayed part of their LEAs, that the LEAs  
25 remained responsible and integrated and involved in the

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1 child's education.

2 I would say the other things that, you know, in  
3 other systems, again, like I consulted in the  
4 Philadelphia school systems, and there they have  
5 something called approved private schools, and so, again,  
6 the student is sent to those approved private schools,  
7 but the LEA, again, kind of gets disconnected from the  
8 student, and so reintegration is sometimes a pretty  
9 significant challenge once kids are referred.

10 So I like the fact that, you know, our LEAs  
11 stay very involved with our kids, and they were still  
12 committed to getting them back into their local school  
13 systems and serving them in those least restrictive  
14 environments.

15 So -- and in some states there is no kind of  
16 service like ours that provides intensive supports. You  
17 know, certainly in some states kids just get referred to  
18 residential much more quickly and there is less services  
19 to families. So all of those were kind of, to me, what  
20 was attractive about the network coming down.

21 Obviously, that was back in 1996, so we did see  
22 some areas where, you know, that was kind of coming out  
23 of the '70s and '80s, where there was a lot of just  
24 behavioral strategies and those kinds of things, and so a  
25 lot of settings were very focused on kind of those

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1 behavioral components. But seeing the importance of, you  
2 know, teaching those therapeutic skills, making sure kids  
3 had those therapeutic interventions alongside of those  
4 types of interventions, increasing the academic rigor,  
5 you know, within the programs and those kind of things,  
6 which was something we were working on generally in  
7 special education at that time, but those were all things  
8 we were working on here as a network as well.

9 And the network, obviously, one of the  
10 attractions to it was we had a cadre of directors that  
11 were very committed, you know, to improving those  
12 services for kids.

13 Q And were there any concerns that you had with  
14 the GNETS program when you first started working with it?

15 A Like I said, the first things that we kind of  
16 focused on were increasing the therapeutic teaching,  
17 making sure that we were teaching those replacement  
18 skills, and we were doing functional behavior assessments  
19 at a very, very high quality. Making sure that all staff  
20 had -- you know, there was previous training and things  
21 like therapeutic crisis de-escalation, but just making  
22 sure that we continued to improve in those areas as well.  
23 Again, figuring -- you know, continuing to work on the  
24 integration of the therapeutic services along with the  
25 academic kind of expectations, and making sure we had



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1 high quality in both of those areas, which is always a  
2 challenge I think when working with our kinds of kids,  
3 so...

4 Q And what about now? What are your views on the  
5 effectiveness of the GNETS program for serving students  
6 with emotional and behavioral disorders?

7 A So I would say, you know, we've come a very,  
8 very long way, you know, in terms of, I think everyone is  
9 always trying to continually improve and get better and  
10 figure out what those most effective strategies are for  
11 reaching our different populations of students that we do  
12 serve. Certainly, the -- the pandemic and some of the  
13 cultural issues that are hitting our kids are hitting our  
14 kids, you know, in lots of sundry ways, so that causes us  
15 to have to become more expert in different kinds of areas  
16 to ensure that we are supporting those new needs that are  
17 coming out, just with all the changes that our kids are  
18 facing.

19 But in my time here, you know, we -- we've  
20 become much more integrated even with our systems. There  
21 was still a little, when I first came into the system,  
22 that of our kids kind of being -- again, kind of sent to  
23 us and maybe not as much involvement. And so that has  
24 steadily increased to the points where we work very  
25 closely and collaboratively with our LEAs now. We get

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1 very little resistance in terms of reintegrating. In  
2 fact, our counties are very proactive in terms of  
3 reintegration and getting kids back into those least  
4 restrictive environments as quickly as possible. So  
5 there's been lots of progress in those regards.

6 Q And you mentioned before that -- that you are  
7 working with integrating with the systems, and by  
8 "systems," you mean the LEAs?

9 A Yes.

10 Q What would a successful GNETS experience look  
11 like for students who are currently being served by  
12 NorthStar?

13 A So, I mean, obviously, the biggest litmus test  
14 is, you know, are those referral behaviors that cause --  
15 that's causing the student to not be able to progress  
16 academically and behaviorally in the setting that they  
17 are in? Are those issues kind of resolved to the point  
18 that student can go back and be successful and start to  
19 experience success, start to enjoy their peer group,  
20 start to progress academically, start to, you know, be  
21 able to participate fully in the educational program  
22 being provided?

23 Q Can you describe the structure of the GNETS  
24 program across the state?

25 A So it varies quite dramatically, you know, just

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1 depending. I know we've got some GNETS programs that  
2 serve -- I think Northwest has something like 24 LEAs  
3 that they work with. I have six. You know, in Cobb we  
4 had three.

5 So, you know, the number of systems that are  
6 served are very different depending on the structure of  
7 the program, and just based on each of those local  
8 individual differences, the structure of the program is  
9 pretty difficult -- different.

10 But in general, just to require, you know, in  
11 terms of how GNETS has traditionally kind of required,  
12 you know, we have a teacher and a para in every  
13 classroom. We do have support staff, therapeutic staff,  
14 coordinators. I think that's pretty standard across most  
15 of the GNETS programs, but again, you know, there is  
16 variation depending on the different locals.

17 Q You know, you stated this earlier, so the six  
18 school districts that NorthStar serves are Murray,  
19 Dalton, Whitfield, Pickens, Gilmer, and Fannin. Is that  
20 correct?

21 A Yes, ma'am.

22 Q And how long has NorthStar served these six  
23 school districts?

24 A As far as I am aware, since the mid '70s.

25 Q And while you've served as director, has

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1 NorthStar served any additional counties that no longer  
2 participate?

3 A So not while I've been director.

4 Q Are you aware of any prior to you being  
5 director?

6 A Yes. Cherokee County.

7 Q And do you know why Cherokee County no longer  
8 participates?

9 A As I understand it, it was a funding discussion  
10 that resulted in that. I was -- I wasn't involved in the  
11 program at that time.

12 Q And do you know how Cherokee County now serves  
13 the students with emotional and behavioral disorders?

14 A They have a separate school.

15 Q But that separate school is not a GNETS school?

16 A No.

17 Q While you've served as director, has NorthStar  
18 served any students from any other school districts that  
19 maybe don't have a formal partnership with NorthStar?

20 A Ask that one more time.

21 Q Sure. So we've gone over the different school  
22 districts that --

23 A Sure.

24 Q -- are connected with NorthStar.

25 A Yeah.

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1 Q And Cherokee is -- was formerly connected with  
2 NorthStar. Has any school district ever sent students to  
3 NorthStar outside of those?

4 A We had one intersystem agreement that we did  
5 with one student in Union County. That was kind of in a  
6 location that was difficult for either Pioneer RESA,  
7 their GNETS to serve, or -- or for us. So we tried for  
8 one year to serve her just because physically it was a  
9 closer location, and we decided not to continue that  
10 relationship after that year.

11 Q And why was the decision made to not continue  
12 that relationship?

13 A The student was having difficulty with the  
14 transportation aspects, and the transportation was a  
15 little bit complicated because we had to transport across  
16 county lines and switch buses. And I think they --  
17 eventually, I think they worked with the GNETS director  
18 that was officially over that area to establish services  
19 in that county.

20 Q Do you recall how long that student's bus ride  
21 was or bus rides was to the NorthStar location?

22 A I don't off the top of my head.

23 Q Do you have an estimate?

24 A I would assume it probably would have been 40  
25 minutes to an hour.

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1 Q And what body serves as NorthStar's fiscal  
2 agent?

3 A North Georgia RESA.

4 MS. CHEVRIER: I'd like the court reporter to  
5 mark the following document as Plaintiff's Exhibit 846.

6 (Plaintiff's Exhibit 846 was marked for  
7 identification.)

8 Q BY MS. CHEVRIER: And the Bates number is not  
9 on here, but internally we have noted it as document  
10 NORTHSTAR\_TEMP\_000001. This document is titled  
11 "NorthStar Services -- Service" sites, correct?

12 A Correct. Locations, yeah.

13 Q Yes, sorry. "NorthStar Service Locations,"  
14 correct?

15 A Yes.

16 Q Do you recognize this document?

17 A I do.

18 Q Did you create this document?

19 A Yes, I did.

20 Q For what purpose?

21 A For and to respond to your request.

22 Q And this lists the six -- this lists six  
23 different NorthStar locations, correct?

24 A Yes.

25 Q And what are they?

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1           A    So we have one location -- we have three  
2   locations in Fannin County; one at East Fannin  
3   Elementary, one at Fannin County Middle School, and one  
4   at Fannin County High School. We have a center-based  
5   location in Jasper, Georgia. And we -- over the duration  
6   of the three years of information requested, I've had two  
7   locations in the Dalton area. We moved from a Frederick  
8   Street location last year -- the middle of the year  
9   before, I guess, to the Cleveland Highway location in  
10   Dalton.

11           Q    Okay. And the location that's located at 159  
12   Stegall Drive, is that sometimes referred to as the  
13   NorthStar Pickens location and sometimes as NorthStar  
14   Jasper?

15           A    Yes.

16           Q    Okay. Which would you prefer?

17           A    Either is fine. It's in Pickens County, so --  
18   and it's with the Pickens County School District. It's  
19   in the physical town of Jasper, Georgia, so either is  
20   fine.

21           Q    Thank you.

22                   And so is it correct that the NorthStar Dalton  
23   location at Frederick Street is no longer in use?

24           A    That is correct.

25           Q    And is the NorthStar Dalton location on

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1 Cleveland Highway currently in use?

2 A Yes, it is.

3 Q And that's a center-based location?

4 A Correct.

5 Q And are the -- each of the sites listed here,  
6 with the exception of NorthStar Dalton at Frederick  
7 Street, the only locations of NorthStar that are  
8 currently operating?

9 A Yes. So the Frederick Street location is the  
10 one -- the only one that's no longer in service.

11 Q Right. And all the others still are?

12 A Right. Correct.

13 Q And why did the NorthStar Dalton location at  
14 Frederick Street close?

15 A It was an older building that had some, you  
16 know, issues in terms of the roof condition and those  
17 kinds of things, and so we just requested a new facility.

18 Q And when did it close?

19 A So December 2021.

20 Q And whose decision was it to close that  
21 location?

22 A It was a coordinated decision with the three  
23 local educational agencies in that area.

24 Q Okay. And which -- which local education  
25 agencies are those?



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1           A    So that would have been Whitfield County  
2   Schools, Dalton Public Schools, and Murray County  
3   Schools.

4           Q    Did anybody else have to approve the decision  
5   to close that location?

6           A    The -- not the closure. The State Department  
7   was aware that we were moving the program, but they  
8   didn't have approval.

9           Q    Okay. And while you've worked at NorthStar,  
10   has it had any other sites, in addition to the one Dalton  
11   location, close?

12          A    No.

13          Q    Of the open NorthStar GNETS site locations,  
14   which would you classify as a center? That's the  
15   NorthStar Pickens or Jasper and NorthStar Dalton at  
16   Cleveland Highway?

17          A    That is correct.

18          Q    And am I correct that NorthStar Pickens or  
19   Jasper is the only NorthStar location in Pickens?

20          A    Correct.

21          Q    And each of the school-based locations are  
22   located in Fannin County?

23          A    Yes.

24          Q    And then the NorthStar Dalton location is  
25   located in Dalton?

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1 A Correct.

2 Q How is it determined at which NorthStar  
3 location students from each of the six counties NorthStar  
4 serves will be educated?

5 A So we're essentially, just because we have a  
6 large region, we're kind of -- our services are  
7 regionally based. So, obviously, Murray, Dalton, and  
8 Whitfield are all in the same contiguous region, and so  
9 we have collapsed our services there to serve those  
10 students.

11 Pickens County serves just students from  
12 Pickens County Schools. And again, our Fannin County  
13 sites is the two counties, you know, closest in that  
14 area, so that would be Gilmer County and Fannin County  
15 Schools.

16 Q So if a student who is in Pickens County  
17 requires a school-based location, where would they go?

18 A In Pickens County.

19 Q But is there -- are there any school-based  
20 GNETS locations in Pickens County?

21 A No. That would be worked out with the -- you  
22 know, within the IEP committee and with that educational,  
23 you know, team that's working there, so the special  
24 education department there. So if we felt a student, you  
25 know, required a school-based location, then we would,

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1 you know, provide -- you know, the county would likely  
2 provide those services.

3 Q And by county likely providing those services,  
4 do you mean in a school in the county?

5 A Uh-huh.

6 Q And would GNETS provide services to a school?

7 A It would depend on the student and the  
8 situation.

9 Q Has -- has GNETS -- has NorthStar in the past  
10 provided school-based locations to any of the schools  
11 not -- to any schools not listed on this sheet?

12 A Yeah. So, and that was one of the things when  
13 the counties that we had transition classrooms in Pickens  
14 prior, and with the reductions in funding and just  
15 because they started work on better identifying, I guess,  
16 students, and they began to improve some of their  
17 pre-referral services, just because our numbers  
18 decreased, those transition classrooms basically were  
19 integrated back into their local systems.

20 And so, you know, we maintain the most  
21 intensive sites, but the local educational agency has  
22 taken over those transition classrooms.

23 Q Okay. And you talked earlier about the  
24 continuum of different service options. Where would you  
25 place a GNETS school-based location on that continuum?

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1 A At the end of the continuum.

2 Q All right. And what about a center-based  
3 location?

4 A Oh, I'm sorry, you said a school-based location  
5 earlier?

6 Q Yes.

7 A I misspoke.

8 So a school-based location, I mean, there is --  
9 if you look at the State rule, there's kind of three  
10 options; there are three or four options they're in for  
11 school-based arrangements, from whether the student is  
12 with us full-time, part-time, you know, those kinds of  
13 things. So I think in the 6-step thing within the State  
14 rule, it's -- you know, 1 through 4 is school-based, and  
15 then center based is 5 and 6, is, I think, how they frame  
16 it.

17 Q So would it be accurate to say that there are  
18 different levels of school-based -- that school-based  
19 services can be at different levels of the continuum?

20 A Sure. Sure.

21 Q And that center-based locations are a more  
22 severe part of that continuum --

23 A Sure.

24 Q -- than school-based locations?

25 A Yes.

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1 Q Okay. So if a student is in Fannin or Gilmer  
2 County and it's determined that they need a center-based  
3 location and not a school-based location, where are those  
4 students educated?

5 A So generally what we have to do in those  
6 situations is either create an individual classroom for a  
7 student or we have done a couple of intersystem  
8 agreements with Pickens County to serve them in the  
9 Pickens County location.

10 Q And what does it look like when you say to  
11 create a school-based location for those students?

12 A So it really is the county deciding to allocate  
13 the teacher, para pro, or whatever is required to support  
14 that student in, you know, a location.

15 Q And would those students -- so again, we're  
16 talking about students who might need the most severe  
17 interventions or part of that continuum, which might be a  
18 center location. But if the center location isn't  
19 available --

20 A Uh-huh.

21 Q -- would they attend one of the GNETS  
22 school-based locations, or do they -- have any of those  
23 students ever attended, you know, their home school but  
24 with a --

25 A Yes --

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1 Q -- classroom?

2 A -- it's something that could be. If there is  
3 a -- you know, one of the difficulties we have in some of  
4 our counties is we don't have space, and so, but  
5 certainly, it could be funding a classroom space there  
6 where they could be supervised. I mean, generally, the  
7 cases I can think of, that's how it occurred.

8 Q And just to be clear, that's in their home  
9 school, like a specific classroom was created for them?

10 A Not necessarily their home school but a school  
11 within the district's purview. So, for example, some of  
12 my counties developed special education classrooms that  
13 served kids maybe from not their home school, but it's a  
14 way of, you know, creating a small group arrangement if a  
15 kid requires a small group. So if not every school  
16 can -- there's not enough students to do that, they'll  
17 kind of target their kids to a particular location, so...

18 Q And can those small group arrangements occur in  
19 general education school settings?

20 A Sure. Most of them do.

21 Q Most of them do?

22 A Yeah.

23 Q Okay. And if a student in Pickens County, for  
24 example, does not need a center-based location but could  
25 benefit from a school-based location or any other

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1 lesser --

2 A Uh-huh.

3 Q -- option on the continuum of services, where  
4 are those students educated?

5 A So Pickens has small group options for all  
6 their students who require that.

7 Q And that's Fannin County outside of NorthStar?

8 A Yes.

9 Q And what about in Dalton? So Dalton, my  
10 understanding is, it only has a GNETS center-based  
11 location?

12 A Correct.

13 Q So if a student does not need a center-based  
14 location but maybe --

15 A Each of the systems maintains small group  
16 options for those students.

17 Q Okay. So they would also be educated within  
18 the system --

19 A Correct.

20 Q -- in Dalton?

21 A Correct.

22 Q And so they wouldn't be a part of NorthStar?

23 A Correct.

24 Q Okay. And is that --- what about for students  
25 in Murray and Whitfield?

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1 A The same.

2 Q And so they would be educated within Murray or  
3 within Whitfield?

4 A Uh-huh.

5 Q Okay. Thank you.

6 How many students attend the NorthStar Pickens  
7 Center this year?

8 A I would have to look officially at the list,  
9 but I would say less than 15 right now.

10 Q Okay. And how many classrooms of students are  
11 there at NorthStar Pickens Center?

12 A There are three.

13 Q And how are those different classrooms  
14 determined? Is it by age or eligibility?

15 A Generally it's by age. You know,  
16 traditionally, you know, we kind of have an elementary  
17 classroom, a middle school classroom, and a high school  
18 classroom. Right now I have younger students, so we kind  
19 of have younger elementary, upper elementary, younger  
20 middle group.

21 So it does vary a little bit just depending on  
22 the student population that we have. But generally it's  
23 by, you know, trying to keep instructionally the number  
24 of grade levels that teacher has to teach, and, you know,  
25 developmentally where kids are at kind of within a band.



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1 Q And how many grade levels can be in one  
2 different -- one classroom?

3 A So it can be up to five. So when we just have  
4 one elementary and one middle and one high, we can have a  
5 K-5 classroom, a 6-8 classroom, and a 9-12 classroom.

6 Q If it's a K-5 classroom, would that be six  
7 different grades?

8 A Yes. Technically, yes.

9 Q And how many students attend the Dalton --  
10 NorthStar Dalton Center on Cleveland Highway this year?

11 A So we are probably close to 40 students right  
12 now.

13 Q And that only serves students from Murray,  
14 Whitfield, and Dalton?

15 A Correct.

16 Q And how many different classrooms are there?

17 A So right now we have -- I'm counting. We have  
18 two elementary, two middle, and one high school right  
19 now.

20 Q So five total?

21 A Uh-huh.

22 Q And how are those classrooms determined?

23 A So again, we have a lot of younger students  
24 right now. So we have a K-2 classroom, almost K-1 now,  
25 and then we have a 3-5 classroom, a 6th grade classroom,

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1 a 7th and 8th grade classroom, and then a 9-12 classroom.

2 Q And does the NorthStar Dalton location serve a  
3 specific -- a specific student population?

4 A Students with -- so repeat that one more time  
5 so I make sure I understand your question.

6 Q Does NorthStar Dalton Center serve a specific  
7 student population?

8 A Just special education students with social and  
9 emotional and behavioral difficulties.

10 Q Okay. And is that the same for Pickens as  
11 well?

12 A Yes.

13 Q And what is the youngest student?

14 A By State rule, it's five.

15 Q Okay. And do you have any five-year-olds  
16 currently in either of the center locations?

17 A I know we had one referred at five. I don't  
18 know if he's currently five or if he has already turned,  
19 but...

20 Q And do you have any students who maybe now they  
21 are six or seven or older but who started when they were  
22 five?

23 A Yes.

24 Q And how many?

25 A It would be one or two.

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1 Q Okay. And at which location?

2 A I'm thinking of one in particular in -- in my  
3 Dalton Center. We may have had one for a short period of  
4 time in Fannin, but I can't remember if he was five or  
5 six.

6 Q And how many students attend the NorthStar  
7 Fannin Elementary School location?

8 A So NorthStar Fannin right now, I believe I have  
9 five.

10 Q And that's, sorry, Fannin Elementary?

11 A Yeah. At East Fannin Elementary, yes.

12 Q And you said at least five?

13 A Uh-huh.

14 Q And how many classrooms are there?

15 A Just one.

16 Q And how many grades are in that classroom?

17 A I want to say there's three right now. Three  
18 or four.

19 Q And Fannin -- East Fannin Elementary only  
20 serves students from Fannin and Gilmer, correct?

21 A Correct.

22 Q And does East Fannin Elementary School have a  
23 specific student population that they serve?

24 A It would be the same; students with severe  
25 social, emotional, and behavioral difficulties, special

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1 education students.

2 Q I'm going to ask the same question for  
3 NorthStar Fannin County Middle School.

4 A Okay.

5 Q How many students attend NorthStar Fannin  
6 County Middle School this year?

7 A Right now we have three.

8 Q And how many school-based GNETS classrooms are  
9 there at Fannin County Middle School this year?

10 A Ask it one more time.

11 Q How many school-based GNETS classrooms are  
12 there?

13 A Just one.

14 Q And how many grades are included in that?

15 A So right now, I believe I have two.

16 Q And what -- what are those two grades?

17 A So I have an 8th grader in that classroom, and  
18 then -- actually, I have two 8th graders in that  
19 classroom, and the other student, I believe, is a 7th  
20 grader.

21 Q And Fannin County Middle School also only  
22 receives students from Fannin or Gilmer?

23 A Yes.

24 Q And do they serve a specific student  
25 population?

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1 A Yes.

2 Q And is it the same as what you have shared  
3 previously?

4 A Yes, special education -- special education  
5 students with social and emotional and behavioral  
6 difficulties.

7 Q And how many students attend the NorthStar  
8 Fannin County High School location this year?

9 A I'm counting kids in my head. I have probably  
10 six at that location.

11 Q And how many school-based GNETS classrooms are  
12 there at Fannin County High School this year?

13 A Just one.

14 Q And how many grades are included in that one  
15 classroom?

16 A That would be four.

17 Q And Fannin County High School also only serves  
18 students from Fannin and Gilmer, correct?

19 A That's correct.

20 Q And does NorthStar Fannin County High School  
21 serve a specific student population?

22 A Special education students with severe social  
23 and emotional and behavioral difficulties.

24 Q And what is the age of the youngest student who  
25 currently attends Fannin Elementary School -- or East

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1 Fannin Elementary School in the NorthStar GNETS program?

2 A I think he's seven.

3 Q Okay. And was he seven years old when he  
4 started at that school?

5 A He might have been six when he was referred.

6 Q Okay. And what's the oldest -- what's the age  
7 of the oldest student who's at NorthStar Fannin County  
8 High School --

9 A Um.

10 Q -- in the GNETS program?

11 A Yeah, I don't -- 17, maybe.

12 Q And as director, how would you describe the  
13 student population at NorthStar? Is it increasing,  
14 decreasing, staying the same?

15 A So we were decreasing prior to the pandemic.  
16 We did have a little uptick after that. We were, again,  
17 a little bit down last year. So it's been relatively  
18 stable over the last few years, outside just immediately  
19 after, you know, everybody was pulled.

20 MR. NGUYEN: Claire?

21 MS. CHEVRIER: Yeah.

22 MR. NGUYEN: We've been going for almost an  
23 hour and a half.

24 MS. CHEVRIER: I was about to say.

25 MR. NGUYEN: At a convenient time, yeah.

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1 MS. CHEVRIER: Now is a great time. We can go  
2 off the record.

3 THE VIDEOGRAPHER: Going off the video record  
4 at 10:47 a.m.

5 (The deposition was at recess from 10:47 a.m.  
6 to 11:10 a.m.)

7 THE VIDEOGRAPHER: We are back on the video  
8 record at 11:10 a.m.

9 Proceed.

10 Q BY MS. CHEVRIER: Hi, Dr. Neal.

11 A Hello.

12 Q Who determines staffing needs for your regional  
13 GNETS program?

14 A I do.

15 Q And has that always been the case?

16 A Yes.

17 Q And what is the process for hiring new  
18 personnel when an opening is created or a need is  
19 identified?

20 A So we post the position. I will typically  
21 interview the person. We do background check, references  
22 checks, those kind of things. And once they have been  
23 through that process, typically the person will visit  
24 locations. And usually it's one interview, but it could  
25 be two, because the second interview I might bring them

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1 back to meet with my coordinators who I will be working  
2 most directly with.

3 Q And is there any variation in this process if  
4 it's a teacher versus an administrator or other staff?

5 A No, not really.

6 MS. CHEVRIER: I'd like the court reporter -- I  
7 guess it's already marked as Exhibit 384. I don't want  
8 to just throw it at you.

9 MR. NGUYEN: Feel free.

10 Q BY MS. CHEVRIER: This is an e-mail from you,  
11 Dr. Neal, to Vickie Cleveland and Nakeba Rahming dated  
12 December 14th, 2017, correct?

13 A Yes.

14 Q And the Bates number is GA00014291.

15 A Okay.

16 Q You were forwarding an e-mail from Kathy  
17 Bierce, correct?

18 A Correct.

19 Q Do you recognize this e-mail?

20 A Yes. I mean, it obviously came from me. I  
21 don't remember it, but...

22 Q But you have no reason to believe it was  
23 fabricated?

24 A Right. Exactly.

25 Q Who is Kathy Bierce?



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1 A She was my secretary.

2 Q And do you see where it lists that there are  
3 two attachments to this e-mail?

4 A Yes.

5 Q And let's turn to the first attachment, which  
6 is Bates number GA00014292.

7 Do you see this document is titled "FY18 GaDOE  
8 Approved GNETS Temporary Therapeutic Services Assurances  
9 GNETS NorthStar Educational and Therapeutic Services"?

10 A Yes.

11 Q And do you recognize this document?

12 A I do.

13 Q What is meant by assurances in this context?

14 A So -- and I neglected -- I wasn't thinking  
15 about this situation when I answered previously, but for  
16 the last few years, just due to some of the difficulties  
17 we've had with budget, GaDOE -- and I'm not sure  
18 that Orion (phonetic) -- Orion, I believe, received a  
19 grant, and they've been helping with funding of  
20 therapeutic positions, specifically a therapeutic  
21 position I have open in Fannin County.

22 Q And is it correct that this document is a list  
23 of assurances?

24 A It is.

25 Q And do you see number 6 which reads, "GaDOE

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1 will coordinate with service providers to ensure that  
2 there is an understanding of the type of services that  
3 will be required for GNETS and ensure that the contracted  
4 therapeutic professional meets the necessary  
5 qualifications to provide counseling/therapy for  
6 students"?

7 A Yes.

8 Q What do you understand this to mean?

9 A So the State agreed to provide the funding as  
10 long as we could hire someone that was a certified, you  
11 know, staff, so either a social worker or licensed  
12 professional counselor.

13 Q And what are the necessary qualifications to  
14 provide counseling and therapy for students that GaDOE  
15 was ensuring were met?

16 A If they have approved credentials, so again,  
17 like a degree; in this case, a master of social workers  
18 for this particular candidate, as well as certified by  
19 the State of Georgia.

20 Q And does GaDOE have decision-making power  
21 regarding other staffing choices at NorthStar?

22 A We have out of the CARES grant money, we didn't  
23 have to assign an assurance, I don't think, quite like  
24 this, but there was similar expectations stated.

25 Q And can you tell me about those expectations?

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1 A Again, a degreed professional with  
2 certification.

3 Q And how were those expectations shared with  
4 you?

5 A Directors meeting, I believe.

6 Q And who was it that shared those expectations  
7 with you?

8 A Vickie Cleveland.

9 Q Okay. And you said before that you weren't  
10 thinking about this context when you answered a previous  
11 question of mine. What question was that?

12 A Just, I guess, the process for hiring her was  
13 the same as if I hired any of my other staff. The only  
14 difference was the coordination with the funding through  
15 the State.

16 Q And by "her," you mean the person who fulfilled  
17 this therapeutic role?

18 A Correct.

19 Q Okay. And were there any additional steps not  
20 outlined in this e-mail that the State took with regard  
21 to that position being hired?

22 A Other than just stipulating, you know, the type  
23 of professional we could have hired.

24 MS. CHEVRIER: Okay. I'd like the court  
25 reporter to mark this next document as Plaintiff's

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1 Exhibit 847.

2 (Plaintiff's Exhibit 847 was marked for  
3 identification.)

4 Q BY MS. CHEVRIER: This is an e-mail from you,  
5 Dr. Neal, to Vickie Cleveland with Fran Whitfield copied,  
6 correct?

7 A Yes, ma'am.

8 Q And it's Bates number GA00014174.

9 Do you recognize this e-mail?

10 A I'm just trying to assess what it was about.

11 Q Of course.

12 A Yes.

13 Q And who is Fran Whitfield?

14 A Fran at that time was my finance director here  
15 at North Georgia RESA.

16 Q And do you see where you wrote, "The state  
17 approved a part-time therapeutic position for my region  
18 which we just filled. We have contracts signed, but I  
19 wasn't sure what the reimbursement process was from the  
20 state. Do you happen to know?"

21 A Yes.

22 Q And what do you mean when you wrote that the  
23 State approved a part-time therapeutic position for your  
24 region?

25 A So again, my understanding is the State

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1 received a grant and that they allocated that to  
2 different GNETS programs. We were one that was chosen to  
3 receive that allocation. And in this e-mail, I was just  
4 asking about the reimbursement process.

5 Q And who from the State approved this position?

6 A I am -- I don't know directly. I was informed  
7 by Vickie Cleveland. I don't know what process she had  
8 to go through to make that happen.

9 Q I understand. And did the State specify that  
10 it had to be a therapeutic position --

11 A Yes.

12 Q -- that they were funding?

13 A Yes.

14 Q And did Vickie Cleveland respond to this  
15 e-mail, to your knowledge?

16 A I'm quite certain she did. Now, whether that  
17 was in writing or verbally, in a meeting even, possibly.

18 Q And do you remember what the answer was to your  
19 question about the reimbursement process?

20 A What year was this? '17. So initially it  
21 was -- probably at that time it was a separate  
22 allocation. Eventually it got integrated into our  
23 general allocation that we get from the State, so...

24 Q And how does the State approval process for  
25 specific positions typically work?

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1           A    Again, I think at this time, you know, we -- we  
2   indicated an interest. We had to get the assurances  
3   signed. And again, I have no idea what their process was  
4   at GaDOE to get that approved, but that was kind of our  
5   process.

6           Q    And have you reached out to GaDOE about  
7   securing any additional GNETS personnel?

8           A    As I indicated with the CARES grant, we had got  
9   an additional therapeutic support position.

10          Q    And what was that additional therapeutic  
11   support position?

12          A    This is a licensed clinical social worker.

13          Q    And is that the only other example?

14          A    Yes.

15          Q    For the current school year, 2022 to 2023, how  
16   many total staff serve the NorthStar GNETS program?

17          A    I think we have around 40.

18          Q    And how many staff do you have in each of the  
19   following positions, so how many in -- how many serve as  
20   administrators?

21          A    So myself and two coordinators.

22          Q    And are those site-based coordinators?

23          A    Yes.

24          Q    And how many site coordinators do you have? Is  
25   it just the two?

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1 A Two, yes.

2 Q And is there -- so how do they cover the  
3 different sites that NorthStar includes?

4 A So there's -- they are site based, so I have  
5 one -- actually, I take that back. Let me correct  
6 myself. I typically have three coordinators.

7 Q Okay.

8 A So I have two in my Dalton location; it's my  
9 biggest location. One is a therapeutic coordinator; one  
10 is an academic coordinator.

11 Q Okay.

12 A And then I have one coordinator at my Pickens  
13 County site.

14 Q Okay. And do you have any coordinators that  
15 serve at Fannin?

16 A No.

17 Q All right. And are all three of those  
18 coordinators considered administrators?

19 A Yes.

20 Q And how many -- how many people do you have  
21 that are considered instructional staff?

22 A So would you include -- so instructional staff,  
23 define that for me, please.

24 Q Well, how would you define it?

25 A So I could answer it two ways.

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1 Q Sure.

2 A We pretty much value our paraprofessionals, who  
3 do a lot of instruction as well but not -- teachers do  
4 the lesson planning and the academic instruction more so.  
5 So teachers, I think I have 11 right now.

6 Q Okay. And how many para pros?

7 A Sorry, I'm counting.

8 Q No worries.

9 A That's the only way I can do it.

10 So I have six in Fannin, four in Pickens, eight  
11 in Dalton, so whatever that is all together, 11, 12.  
12 What did I say? 16, maybe.

13 Q Okay. Maybe -- maybe 18? Six in Fannin, four  
14 in Pickens, eight in Dalton.

15 A Okay.

16 Q So 18?

17 A Whatever you have down.

18 Q And how many student support service positions  
19 do you have, so including psychologists, social workers,  
20 therapists?

21 A So I have a school counselor in Dalton. I have  
22 a licensed -- a licensed clinical social worker in  
23 Dalton. I have a part-time social worker in Pickens, and  
24 I have a full-time licensed professional counselor in  
25 Fannin.



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1 Q Okay. And what about other support staff, like  
2 secretaries?

3 A We do. We have a secretary in each region,  
4 essentially. So I have one in Fannin, one in Pickens,  
5 one in Dalton.

6 Q And any other staff that I'm missing?

7 A I collapse them under the para pro position,  
8 but we do have like support, like registered behavior  
9 technicians. So I have two of those in my Dalton  
10 location. I have one of those in the Pickens location.  
11 And I have -- I don't have anyone in that position in  
12 Fannin. Although, I do have a couple of people with  
13 training, so...

14 Q And do any of these positions support multiple  
15 NorthStar sites?

16 A No. Well, excuse me, yes. The one in Fannin,  
17 obviously we have, you know, classrooms in different  
18 locations, so they have to float to the different  
19 locations.

20 Q Which positions are it that float to the  
21 different locations?

22 A So it would be the social worker position  
23 primarily, and then I -- I provide the clinical  
24 coordination there, so obviously my support there as  
25 well.

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1 Q And how does that work? Like how do they know  
2 which school to go to at which time?

3 A So we communicate daily, if not multiple times  
4 a day, in terms of where supports are required.

5 Q And who employs all the individuals who hold  
6 the positions you just listed?

7 A So North Georgia RESA is the employer.  
8 Although, a lot of those positions are funded through  
9 local moneys.

10 Q Okay. And do you currently have any staff  
11 vacancies?

12 A Technically no. Although, we have referrals  
13 waiting right now, so we're -- technically have an  
14 allocation that we are considering hiring for.

15 Q And what is that?

16 A It would be a K-2 elementary position.

17 Q A teacher or some other position?

18 A A teacher.

19 Q And where would that --

20 A At the Dalton location.

21 Q Okay. And how does that work, that you are  
22 technically not a vacancy but that you are looking for  
23 this position?

24 A I'm just -- we're trying as much as possible to  
25 handle it with the existing staffing, but again, I've got

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1 requests for consideration of services pending out there.  
2 So we're -- we're, you know, continuing to look at our  
3 students that are close to reintegration to see if any of  
4 them, you know, are ready. So it's really just a  
5 staffing issue to try to maximize and make sure we're  
6 using existing staffing before adding additional  
7 allocations.

8 Q When you say that you have a request for  
9 consideration of services pending out there, is that  
10 something that you filed and -- or with whom?

11 A No. Our referral, for lack of a better word,  
12 our intake process, if a county has a student who they  
13 think might be a candidate for GNETS services, we receive  
14 a packet and a request to come, you know, start dialogue  
15 about that particular student.

16 So I've got a couple of those that are out  
17 there but they're, you know, working through their steps  
18 that they need to to see if they can get the student to  
19 be successful in that location, but we're just kind of  
20 apprised that, you know, becoming familiar with the  
21 student just in case.

22 Q I understand. And so what you're saying, and  
23 correct me if I'm wrong, is that you have incoming  
24 referrals pending, and so you might need an additional --

25 A Right.

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1 Q -- K through teacher?

2 A And they are not even official referrals at  
3 this point. We just are kind of aware that there might  
4 be a need in the future.

5 Q Gotcha.

6 A Yeah.

7 Q And have you noticed any trends in staffing  
8 with this year compared to the last few years?

9 A I would say the only difference in general is  
10 that we do have those couple of extra positions that have  
11 come through, so through some of the CARES funding and  
12 those kind of things which have been additional supports.

13 Q Gotcha. So there is a change in where the  
14 funding comes from?

15 A Yes.

16 Q And you mentioned that some of these positions  
17 are funded through money from the LEA. Is that right?

18 A Uh-huh. Yes.

19 Q In those cases, are -- is the RESA still their  
20 employer?

21 A Yes.

22 MS. CHEVRIER: Okay. I'd like the court  
23 reporter to mark the following document as Plaintiff's  
24 Exhibit 848.

25 (Plaintiff's Exhibit 848 was marked for

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1 identification.)

2 Q BY MS. CHEVRIER: It's not listed on here, but  
3 our internal temporary Bates number is -- for the first  
4 page of this document is NORTHSTAR\_TEMP\_000046.

5 Dr. Neal, do you recognize this document as the  
6 NorthStar GNETS grant application for FY 2022?

7 A Yes.

8 Q What is the GNETS grant application?

9 A So this is a document that we typically  
10 complete at the end of the fiscal year, which for us is  
11 in June.

12 Q And you said that the fiscal year ends in June.  
13 What are the dates that the fiscal year covers?

14 A So typically, we're July 1st to June 30th.

15 Q So the FY 2022 one would have covered, is it  
16 July 1st?

17 A 2021.

18 Q Okay. Through June 30th, 2022?

19 A Correct.

20 Q And then it's --

21 A But typically -- yes, you're correct.

22 Q Okay. And so the numbers in this grant  
23 describe the staffing patterns, for example, for the 2021  
24 to 2022 school year?

25 A Yes. I always have to think about FY '22 and

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1 how that works, but...

2 Q Me, too.

3 And have these numbers that you can see -- if  
4 we can go to page 4.

5 A Okay.

6 Q Do you see where it says "Staffing Pattern"  
7 halfway down the page?

8 A Uh-huh.

9 Q Have these numbers changed now that we're in  
10 the 2022-2023 school year?

11 A Probably not. The only thing I'm hesitating on  
12 is that grant position, and I was trying to see if it was  
13 in here, for the licensed clinical social worker. She  
14 came on midyear that year, so I'm assuming she's in here.

15 Q And I want to ensure that I understand the  
16 information provided for the staffing pattern on this on  
17 the next page. There are different categories on the  
18 top. One says "State Grant"; one says "Federal VI," or  
19 6, "B"; and the last says "LEA Funded." Is that correct?

20 A Yes.

21 Q And are these the funding sources for the  
22 positions listed beneath them?

23 A Yes.

24 Q What State grant is referenced here?

25 A The GNETS grant.

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1 Q Okay. And that's the grant that's provided  
2 based on this grant application?

3 A Yes.

4 Q And what are Federal VI-B funds?

5 A So we do each year receive some federal funds,  
6 and so that's an allocation to the GNETS program  
7 directly.

8 Q Okay. And what does it mean for a position to  
9 be LEA funded?

10 A That means that both with the State grant, as  
11 well as the federal grant, that doesn't cover all of our  
12 staffing requirements, so additional positions get funded  
13 from allocations from the different LEAs.

14 Q And can GNETS staff positions be funded through  
15 any other sources not listed here?

16 A I'm assuming the grants that we've received,  
17 like the CARES Act moneys would not be in here.

18 Q Okay. What determines the source of funding  
19 for a particular position? So, for example, why would  
20 one teacher be State funded versus another being LEA  
21 funded?

22 A Sometimes it's the requirements for how the  
23 funding moneys need to be allocated. Sometimes a  
24 position might be locally funded because we have a  
25 particularly intensive student, you know, who it's not a

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1 general program expense; it's very particular to a  
2 particular county. Sometimes it's determined by  
3 regionally what's being required, you know, in our  
4 different -- to serve the students from that -- in that  
5 region. So there's a number of variables that go into  
6 deciding that.

7 Q So you said that how a specific teacher's  
8 position is funded could have to do with whether there's  
9 a particularly intensive student from a county. In that  
10 case, would it -- would a -- would an LEA be more likely  
11 to fund a specific position?

12 A Yeah, it could be.

13 Q It also looks like positions are broken out by  
14 staff type, and the options include existing staff and  
15 new staff. Do you see where it says that?

16 A Yes.

17 Q What is the difference between existing and new  
18 staff for the purposes of this document?

19 A So, for instance, in this case, it's an  
20 instructional staff, a teacher that we're talking about,  
21 so it might be that the student population is higher or  
22 that we need a different kind of teacher, and so we're  
23 hiring for, you know, a new position for that particular  
24 year.

25 Q Gotcha. And this is the FY 2022 grant, so if



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1 somebody is listed as a new staff member, does that mean  
2 that they were new in 2020 to 2021 or in 2021 to 2022?

3 A 2021/'22.

4 Q All right.

5 A Because this grant would have been done in  
6 June of '21.

7 Q Okay. Thank you.

8 Let's look at the totals. Am I reading it  
9 correctly that it says that there are 19 grant-funded  
10 positions? That's on that next page.

11 A Yeah, you are reading that correctly.

12 Q And this is all the GNETS State grant?

13 A Correct.

14 Q And there are nine federal, VI-B funded  
15 positions, correct?

16 A Yes.

17 Q And two LEA-funded positions, correct?

18 A Yes.

19 Q And these totals represent the staffing of all  
20 NorthStar site locations, including centers and  
21 school-based locations?

22 A Yes.

23 Q And have any of the funding sources changed for  
24 this current school year?

25 A Again, just based on grant amounts and those

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1 kinds of things, they might be in different categories.  
2 So we served a few less students last year, so there  
3 would have been less State grant money. The federal  
4 money stayed relatively the same, but anything not met by  
5 either two of those would have been picked up in local  
6 moneys.

7 Q And is it correct that there are six  
8 instructional staff positions?

9 A That is not correct. One of the things when we  
10 fill this out, though, partially, because this feeds into  
11 another part of the document where we list staff, so as  
12 you can imagine, in June, as staff are leaving and we're  
13 hiring, sometimes these numbers aren't exactly  
14 representative because they drop off of -- you know, what  
15 we submit in June isn't necessarily what we have in  
16 August, if that makes sense.

17 Q Right. So if I'm looking again, is it ten --  
18 ten instructional staff?

19 A So I have five, eight -- I have 11 right now.

20 Q Okay. And that includes the ten teachers and  
21 three paraprofessionals? Or four paraprofessionals?

22 A Where are you?

23 Q Sorry, I'm on the page that says "Staffing  
24 Patterns." The last category says "Instructional Staff,"  
25 and then I guess I can't tell whether that's a zero or a

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1 nine at the bottom.

2 A So the grand total, is that what you are  
3 looking at?

4 Q No. I'm looking specifically at "Instructional  
5 Staff." So I see GNETS teacher grant funded, and it says  
6 new staff, 1.

7 A Okay.

8 Q And then right below it, I guess I can't tell  
9 if that's a nine or a zero.

10 A So that would be a nine, I think.

11 Q Okay.

12 A And then there's one that's locally. So that  
13 would be the 11.

14 Q Okay.

15 A If that makes sense.

16 Q Thank you.

17 And were any of these positions vacant? I'm  
18 specifically wondering why there is nothing located next  
19 to one of the positions where there is room to indicate  
20 whether they are existing or new staff.

21 A So again, point out where you are at.

22 Q On the second page of the staffing. So there's  
23 an area where it says "Paraprofessional, teacher aide,"  
24 and it says zero. I'm just wondering if that is  
25 indicating a --

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1 A For LEA funded?

2 Q Yes. I'm wondering if that is indicating a  
3 vacancy?

4 A Yeah, it possibly could be. It may be at that  
5 point in time we had not hired them so they weren't on  
6 the staffing spreadsheet and so they're not showing  
7 there.

8 Q And you said before, though, that there aren't  
9 any current vacancies other than potentially needing a  
10 new K through 2 instructional position, depending on new  
11 referrals?

12 A Yes. Correct.

13 Q Okay. And did you have any social workers or  
14 school psychologists at the time that this was filled  
15 out?

16 A We did.

17 Q And where are they located here?

18 A And again, that might have been we had some  
19 turnover, so again, we might have a situation of not  
20 hired.

21 So we would have had the one social worker in  
22 Fannin County, which -- and then we would have had a  
23 position in -- I know we had a vacancy in Pickens that  
24 was filled after the year started. And then we had the  
25 two, the school counselor, who probably is showing as a

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1 coordinator. My clinical coordinator is probably showing  
2 administratively, and then the licensed social worker.

3 Q Okay. So which position on that -- the first  
4 page of the staffing pattern where it says "Student  
5 Support Services," and then it says "GNETS Special  
6 Education Specialist," what role would that be referring  
7 to?

8 A Good question. That might be my academic  
9 coordinator.

10 Q Okay. And then above that where it says  
11 "Support Staff," and it says "Psychoeducational/GNETS  
12 School Secretary" and "Psychoeducational/GNETS School  
13 Secretary/Clerk," are those referencing secretary  
14 positions, not --

15 A Yes.

16 Q Okay. And then you mentioned having school  
17 counselors. Are they indicated here?

18 A Probably not, because she was hired after this  
19 time.

20 Q Okay. Let's turn to page 7 of this document.  
21 I know it's not numbered.

22 A Numbered.

23 Q So we can both count.

24 A Sorry. I had to print them all individually.

25 "Service Delivery"?

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1 Q Yes. And this is Bates stamped  
2 NORTHSTAR\_TEMP\_000053, although that's not shown on this  
3 document.

4 Do you see on the middle of the page where it  
5 says 13 staff members are trained to deliver GSE?

6 A Yes.

7 Q What is GSE?

8 A Georgia Standards of Excellence.

9 Q What does that mean?

10 A The standards that are required by the State of  
11 Georgia.

12 Q Okay. Which 13 staff member positions are  
13 trained in GSE?

14 A So it would be my teachers, as well as my  
15 academic coordinator and my coordinator in Pickens.

16 Q And what does that training entail?

17 A It's making sure that they're aware of how to  
18 find and -- the State standards for each of the academic  
19 content areas, that they are aware of the scope and  
20 sequence charts that are laid out, both by their  
21 counties, as well as the State of Georgia and required  
22 assessments for those particular courses and key  
23 standards kind of focused on in those assessments.

24 Q And who provides that training?

25 A Some of it is done by us. Some of it, like I

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1 said, with the new math standards rolling out and those  
2 kind of things, some of that's being done collaboratively  
3 either with the counties or through our resources here at  
4 North Georgia RESA.

5 Q And how many staff members are trained to  
6 deliver GSE this school year, because this is for the  
7 last school year?

8 A Yeah, so it would be the same. It would be the  
9 11 teachers, along with the coordinators.

10 Q And why is it important for a staff member to  
11 be trained to deliver GSE?

12 A Because we're just as responsible as any other  
13 school in the state of Georgia for teaching those  
14 standards, so you have to know what you are expected to  
15 do.

16 Q For teachers employed by GNETS, are there any  
17 professional qualifications or certifications required?

18 A Yes. They are certified in the state of  
19 Georgia as other teachers.

20 Q And what are these qualifi- -- where are these  
21 qualifications set out?

22 A So the Professional Standards Commission.

23 Q And who are -- who establishes that?

24 A There are guidelines provided. I'm trying to  
25 think if they are actually from GaDOE or if they are from

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1 actual PSC. Probably some coordination between the two.

2 Q Sorry, you said PSC. What does that stand for?

3 A And some of it is federal requirements as well,  
4 so...

5 Q And you said PSC?

6 A Professional Standards Commission.

7 Q Okay. And how is it communicated to regional  
8 GNETS programs?

9 A So as I indicated previously, some of it is  
10 done through state conferences, and so presentations  
11 either by GaDOE staff or others at different state  
12 conferences, whether that be G-CASE or there's a -- I'm  
13 trying to think what they are calling it now. There's  
14 kind of a federal programs training, typically in the  
15 summer, where that information sometimes gets delivered  
16 as well, especially if there is changes in federal  
17 regulations or requirements and how the state is going to  
18 enforce those regulations.

19 Q What type of teacher certification is required  
20 for a GNETS teacher at the high school level?

21 A So, obviously, they have to have teacher  
22 certification. If they are direct, in doing direct  
23 instruction in a content area, they have to be content  
24 certified for the students that they are teaching, and  
25 they all have to have special education general



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1 curriculum certification.

2 Q And what about for middle school?

3 A Same. All -- all of those teachers are  
4 required to have general education curriculum  
5 certification, as well as their content area  
6 certifications. And that is one of the areas that's  
7 slightly changing. In the past we could have them  
8 working on their content area certifications and just  
9 make sure we're communicating with parents through a  
10 20-day notification letter, and the State is adjusting  
11 their expectations on that now to more require those full  
12 certifications from the -- from hire, so that's a change.

13 Q And what about elementary school level?

14 A Same.

15 Q And do any of your teachers have special  
16 education certifications?

17 A All of them.

18 Q And for the current school year 2022 to 2023,  
19 are all of the NorthStar teachers fully certified?

20 A I have a couple that are taking their final  
21 assessments.

22 Q And --

23 A For their content areas.

24 Q And so they are not currently certified?

25 A So they have special education certification,

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1 and like I said, they are working on their content  
2 certifications.

3 Q And you said a couple. Is that two?

4 A To be precise, I think that's correct.

5 Q Okay. And where are those teachers currently  
6 located?

7 A So I have one in Fannin, who is going through  
8 the Georgia TAPP process, and which is a alternative  
9 certification program in the state of Georgia. And I  
10 have one teacher in Dalton who changed the level he was  
11 supporting, so he's working on his certifications for the  
12 different level.

13 Q And for the teacher in Fannin, which Fannin  
14 location do they work at?

15 A Fannin Middle.

16 Q And so they're currently able to work while  
17 they are working on the certification for their specific  
18 content level?

19 A Yes.

20 Q And are GNETS teachers expected to meet the  
21 same certification requirements as teachers in a general  
22 education setting?

23 A Yes, for doing direct instruction.

24 MS. CHEVRIER: I'd like the court reporter to  
25 mark the following document as Plaintiff's Exhibit 849.

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1 (Plaintiff's Exhibit 849 was marked for  
2 identification.)

3 Q BY MS. CHEVRIER: This is Bates number  
4 GA00791263. This is an e-mail thread between you,  
5 Dr. Neal, and Nakeba Rahming, correct?

6 A Okay. Yes.

7 Q And it includes a forwarded e-mail from Julia  
8 Goodspeed, correct?

9 A Yes.

10 Q It's dated July 31st, 2017, correct?

11 A Yes.

12 Q Who is Julia Goodspeed?

13 A She was a representative from a staffing agency  
14 that the State had provided a contact for us to work  
15 through in regards to the grant position I referred to  
16 earlier.

17 Q Did the State provide funding? How -- how did  
18 you pay for Julia Goodspeed's --

19 A That was through that therapeutic grant that  
20 was provided through the State.

21 Q So the State was paying for you to have -- work  
22 with this individual to find someone?

23 A Yes.

24 Q Do you see where you wrote, "I have no formally  
25 trained social workers. I have a family facilitator in

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1 Pickens who serves that role at that site even though she  
2 has no formal training"?

3 A Correct.

4 Q What did you mean when you wrote, "I have a  
5 family facilitator in Pickens who serves that role"?  
6 What role?

7 A So if you -- to be clear here, so I had two --  
8 I had locally-funded psychologist counselors who were  
9 providing -- providing group and individual, but I didn't  
10 have a social worker on staff at that location. So we  
11 had a position that was developed before I came that was  
12 called a family facilitator, that did a lot of  
13 communication with families, a lot of things that case  
14 management-wise a social worker would do, but she was not  
15 like a licensed professional social worker or anything.

16 Q Gotcha. So did she have any formal training  
17 for that role?

18 A She had been in the program for 25 years and I  
19 think started potentially as a paraprofessional and had  
20 just been with the program for a long time and just had a  
21 lot of skills with just communicating with parents, and  
22 so that was her role, was to help.

23 Q So she kind of worked her way up  
24 experience-wise. Is that accurate?

25 A That's probably -- yeah, just by -- I think

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1 they were working based on her skill set and where she  
2 was strong.

3 Q And do you see where you wrote, "I do have one  
4 site (Fannin) that has no on-site support and where we  
5 are dependent on in-kind support from our LEA social  
6 workers and counselors"?

7 A Yes.

8 Q What did you mean by "no on-site support"?

9 A So this was in that time frame that I kind of  
10 spoke of where we had lost our internal funding for  
11 support services, and so at each of my sites in Fannin  
12 County, they have social workers and counselors who were  
13 pushing in and supporting our kiddos for those units.

14 Q And what do you mean by "in-kind support from  
15 our LEA social workers and counselors"?

16 A Meaning that it wasn't coming out of our  
17 funding. It was coming from the counties.

18 Q And did those individuals work both in Fannin  
19 County Schools that aren't NorthStar specific and in  
20 NorthStar locations?

21 A Correct. They were Fannin County positioned  
22 individuals.

23 Q Gotcha. So they -- did they split their time?

24 A Yes.

25 Q So they typically worked in schools in LEA, but

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1 then they would also come to the NorthStar locations in  
2 Fannin?

3 A Yes.

4 Q Do you see where you wrote, "Grant guidelines  
5 suggests given our size we should have 1 full time  
6 psychologist and 1 full time social worker"?

7 A Yes.

8 Q To what grant guidelines are you referring?

9 A So there are grant guidelines that we had at  
10 the time that said for every so many students we should  
11 be earning a social worker or earning a psychologist, and  
12 that's what I was referring to.

13 Q And where were those guidelines set out?

14 A I think at one time they were on the Georgia  
15 DOE website. I'm not sure where they were at this  
16 particular point in time.

17 Q And who, to your understanding, set these  
18 guidelines?

19 A They were in place before I became director,  
20 so...

21 Q But was it set by the LEA or GaDOE?

22 A No, it wasn't the LEA. It would have been  
23 GaDOE in regards to, these were general allocations that  
24 every -- you know, kind of that they had set out for what  
25 should be allocated for GNETS programs.

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1 Q And why did NorthStar not have the one  
2 psychologist and one social worker that the guidelines  
3 specified?

4 A Due to funding. And so this was potentially in  
5 that time frame that I was kind of redoing the funding  
6 formula and trying to increase where my funds were coming  
7 from so that I could make sure we were appropriately  
8 staffed.

9 Q Do you see where you wrote, "I honestly feel  
10 that in Pickens and Dalton we have the staff (despite  
11 being uncredentialed) that provide that support"?

12 A Yes.

13 Q What did you mean when you said they provide  
14 that support?

15 A Meaning that the individual and group  
16 requirements for the program were being provided by my  
17 clinical staff, so those higher therapeutic activities  
18 that required more training were being met through the  
19 staff that we had on, and that particular staff, in terms  
20 of what we required of our family facilitator, which was  
21 not direct clinical work, was appropriately kind of  
22 being -- those tasks were being appropriately carried out  
23 by those staff that we had on at that time.

24 Q And what did you mean when you said that  
25 they -- that these other positions were uncredentialed?

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1           A     Just meaning that -- I'm trying to figure out  
2     which positions I was referring to. So just that we had  
3     some very high-level skilled staff. And again, it was in  
4     those family facilitator-type positions where they  
5     weren't doing direct clinical work, but that they had the  
6     skills that were effectively communicating with families  
7     and helping to coordinate information about medication  
8     issues with students or events happening at home that  
9     school staff needed to be aware of or vice versa. So I  
10    felt we had the appropriate individuals in place for  
11    those tasks.

12           Q     What response did you get to this e-mail?

13           A     I do not recall.

14           Q     Do you remember what came of your working with  
15    Julia Godspeed -- Goodspeed?

16           A     Well, obviously, we received the therapeutic  
17    grant and we did end up hiring through this StaffRehab  
18    organization, so I guess that would be an outcome.

19           Q     And how many individuals was it that you hired  
20    through this?

21           A     We had the one social worker in Fannin County  
22    that was hired through the therapeutic grant.

23           Q     And who supervises the staff position that you  
24    just described?

25           A     I do.



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1 Q And are you required to submit any information  
2 about what your staff's job responsibilities are to the  
3 RESA?

4 A For this particular position?

5 Q Yes.

6 A No, because it's not a RESA position. I mean,  
7 they're aware from a budgeting perspective of the  
8 position, but -- and certainly, I would be communicating  
9 to my board that we have these individuals on board, but  
10 there's no direct reporting requirement because they are  
11 not a RESA employee.

12 Q Do you have --

13 A Other than a contract. Sorry.

14 Q Thank you.

15 Do you have any reporting requirements for  
16 other job responsibilities for other staff members to the  
17 RESA?

18 A Just -- yeah. Yes.

19 Q And what are they?

20 A So, you know, in terms of certification levels,  
21 in terms of contracts, performance issues. Those kinds  
22 of things.

23 Q So is it accurate to say that when an  
24 individual is RESA funded, you do have reporting  
25 requirements; but when they are not RESA funded, you

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1 don't?

2 A Not formally. Let's put it that way.

3 Q What do you mean by that?

4 A Meaning that as a RESA employee, I think  
5 there's a formal reporting requirement, but certainly I  
6 stay -- if there were any performance issues or any of  
7 those kind of things, those would be discussed with my  
8 RESA director.

9 Q I understand.

10 And do you have any formal reporting  
11 requirements for -- about job responsibilities to GaDOE?

12 A They were certainly informed of what those  
13 activities would be and how they would be used.

14 MS. CHEVRIER: I'd like the court reporter to  
15 please mark the following document as Plaintiff's Exhibit  
16 850.

17 (Plaintiff's Exhibit 850 was marked for  
18 identification.)

19 Q BY MS. CHEVRIER: The first e-mail in this  
20 thread is an e-mail from you, Dr. Neal, to Vickie  
21 Cleveland, correct?

22 A Yes.

23 Q And that e-mail is dated September 28th, 2018,  
24 correct?

25 A Correct.

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1 Q And you were responding to an e-mail Vickie  
2 Cleveland had sent on September 26th, 2018 to a number of  
3 recipients, including yourself, correct?

4 A Yes.

5 Q And this is Bates number GA00334246.

6 Do you recognize this e-mail thread?

7 A I do.

8 Q Do you see where Vickie Cleveland wrote, "I  
9 have attached the monthly log that must be submitted to  
10 GaDOE via portal e-mail for therapeutic services provided  
11 by your social workers. Social workers should submit  
12 this information to you to upload in the portal on the  
13 first day of the month"?

14 A Yes.

15 Q And did you comply with this request?

16 A Yes.

17 Q And do you still log monthly therapeutic  
18 service logs to GaDOE?

19 A We do. I wasn't recalling this when we talked  
20 earlier.

21 Q Do you know why this was a requirement?

22 A So my understanding is that GaDOE uses this  
23 information so they can inform -- have documentation, I  
24 guess, of how the grant moneys are being used.

25 Q And it is still a requirement?

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1 A Yes.

2 Q And do you know why?

3 A Like I said, I'm sure with grant moneys there  
4 are requirements for reporting of how the funds were  
5 being dispensed.

6 Q And are you required to submit information  
7 about how other staff members of yours spend their time?

8 A No. It's only the grant-funded positions.  
9 Other than through the grant, I guess.

10 Q Let's refer back to the FY '22 grant report.

11 A Okay.

12 Q Which for the record again is Bates stamp  
13 number NORTHSTAR\_TEMP\_000046, and that Bates stamp is not  
14 located on the document, but it is for our internal  
15 purposes.

16 Can we turn to page 6.

17 MR. BEDARD: Ms. Chevrier, this -- this is Ed  
18 Bedard on behalf of the State. I just wanted to just  
19 lodge an objection to form as to any questions about why  
20 the State designated this.

21 That's it. Thanks.

22 Q BY MS. CHEVRIER: This is a list of the  
23 counties that send students to NorthStar, correct?

24 A Yes.

25 Q And do you see where it lists that 24 students

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1 from Whitfield County attend a GNETS center at NorthStar?

2 A Yes.

3 Q Why do you think that many students from  
4 Whitfield are sent to a GNETS program?

5 A It's just one of my largest counties.

6 Q And why do you think that many students require  
7 a GNETS center as opposed to a school-based GNETS  
8 program?

9 A So it would be the same criteria, that the  
10 students are demonstrating severe social, emotional, and  
11 behavioral difficulties that have been unresponsive to  
12 interventions by the local school system, and it's  
13 interfering with the student's ability to make progress.

14 Q Do you see where it says that 13 students from  
15 Pickens County attend a GNETS center at NorthStar?

16 A Yes.

17 Q Why do you think that many students from  
18 Pickens are sent to a GNETS program?

19 A The same reason.

20 Q And why do you think that many students require  
21 a GNETS center as opposed to a school-based GNETS  
22 program?

23 A Again, they are students who have been in a  
24 school-based location that are failing to make progress,  
25 given the county's efforts to provide evidence-based

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1 interventions and the student continuing to demonstrate  
2 severe social, emotional, and behavioral difficulties.

3 Q And do you see where it says that ten students  
4 from Murray County attend a GNETS center at NorthStar?

5 A Yes.

6 Q And why do you think that many students from  
7 Murray County are sent to a GNETS program?

8 A The same reason.

9 Q So all based on size, population of that  
10 county?

11 A Correct.

12 Q So if you could get -- were to guess, you would  
13 assume that Whitfield is larger than Pickens, is larger  
14 than Murray?

15 A Correct.

16 Q Do you have access to information about the  
17 disability classifications of each student that attends  
18 NorthStar?

19 A I do.

20 Q What disability classification is the most  
21 common among students served at NorthStar?

22 A Emotional behavioral disorders.

23 Q And what is the second most common disability  
24 classification?

25 A Probably other health impaired.

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1 Q Are there any other disability classifications  
2 that are served at NorthStar?

3 A Certainly. Significant developmental delay,  
4 autism. Some also have a co-morbid intellectual  
5 disability.

6 Q Does NorthStar serve any students whose main  
7 classification is autism?

8 A Yes.

9 Q Does NorthStar serve any students whose main  
10 classification is intellectual disorders?

11 A I don't know if I have one currently. There  
12 probably has been in the past.

13 Q And do you have access to every student's first  
14 and last name who attends NorthStar?

15 A Yes.

16 Q And do you have access to information about  
17 whether or not any students receive a free or reduced  
18 lunch?

19 A No, I don't have access to that information.

20 Q Do you have access to information about when  
21 each student started at NorthStar?

22 A Yes.

23 Q And do you have information about when students  
24 have exited, if they exited NorthStar?

25 A Yes.

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1 Q And do you have graduation information?

2 A It depends if they graduated with us, or if  
3 they graduated after exit, I may not have that  
4 information. I could probably obtain it, but I don't --  
5 we don't keep those records.

6 Q So you do keep the records of students who  
7 graduated from NorthStar?

8 A Correct.

9 Q But you probably have access to information  
10 about students who were previously at NorthStar but then  
11 graduated or may be back in their LEA?

12 A Correct.

13 MS. CHEVRIER: I'd like to on the record  
14 request that we receive documentation related to each of  
15 these different pieces of information, including the  
16 first and last names of students in the program, their  
17 disability eligibility requirement, the date on which  
18 they entered the GNETS program and exited the GNETS  
19 program, and any graduation information that you have.

20 MR. NGUYEN: Yeah, I'm sorry. I apologize.  
21 What number to the subpoena are you referring to?

22 MS. CHEVRIER: Number 5.

23 MR. NGUYEN: Okay.

24 THE WITNESS: So for my clarification, we did  
25 submit an Excel file that had most of those details,



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1 other than the students who had graduated but are no  
2 longer with us. Do you need additional?

3 MS. CHEVRIER: I don't know that we've received  
4 it, but we can coordinate afterwards.

5 MR. NGUYEN: Yeah. That's -- that's why I'm  
6 following up. I believe that that has been produced to  
7 the extent that -- that the Excel spreadsheet has the  
8 data that the school district has in its possession,  
9 custody and control, in other words, from the -- from the  
10 database.

11 Certainly, we would object to having to create  
12 any new categories that is not in a document in the  
13 school district's possession, custody, and control. For  
14 example, I don't know that they have graduation  
15 information.

16 THE WITNESS: Right.

17 MR. NGUYEN: Once the student leaves the GNETS  
18 program, they don't maintain that data. And so to the  
19 extent that you are asking the school district to follow  
20 up with the local -- I'm sorry, to the extent that you  
21 are asking the GNETS program to follow up with each of  
22 the local school districts for the students, we certainly  
23 object to that. That's not a document.

24 MS. CHEVRIER: We understand.

25 MR. NGUYEN: Okay, but --

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1 MS. CHEVRIER: We can confer after, if that  
2 would be easier.

3 MR. NGUYEN: I'm happy to, you know, supplement  
4 the production if there is something that you believe is  
5 missing that we haven't produced.

6 MS. CHEVRIER: Thank you.

7 MR. NGUYEN: Okay.

8 Q BY MS. CHEVRIER: Dr. Neal, what is Georgia  
9 Milestone?

10 A It's our State required State assessment for  
11 different courses and grade levels depending on grade.

12 Q If a student -- if I say that a student is a  
13 Milestones student, do you understand that I mean a  
14 student who takes the Milestones exam?

15 A Yes.

16 Q What is the Georgia Alternate Assessment, or  
17 GAA?

18 A It's an alternate assessment for students who  
19 qualify according to state regulations, and I'm sure  
20 federal regulations, because of an intellectual  
21 disability for an alternative curriculum.

22 Q And if I say a student is a GAA student, do you  
23 understand that I mean a student who takes the Georgia  
24 Alternative -- Alternate Assessment?

25 A Yes.

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1 Q How many students at NorthStar are Milestone  
2 students?

3 A I don't have that number directly, but the  
4 majority.

5 Q How many students at NorthStar are GAA  
6 students?

7 A Again, each year we have a small number of  
8 students that qualify for the alternative assessment, but  
9 I don't have that number.

10 Q Does any one school or center specialize in  
11 serving GAA students?

12 A Not specialize.

13 Q Are any students at NorthStar currently  
14 receiving gifted services?

15 A Not currently.

16 Q Do any students at NorthStar receive half days  
17 for school?

18 A Yes.

19 Q How is it determined whether a student will  
20 receive a half day for school?

21 A That's a determination by the student's IEP  
22 committee.

23 Q What kind of factors would lead to a student  
24 receiving a half day?

25 A It could be a variety of issues. So we've had

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1 some students who have just come out of hospitalization  
2 where they're gradually trying to integrate the student  
3 back into a school-based setting, and as part of the  
4 therapeutic recommendations, that's taken into account.

5 We have some students with medication issues or  
6 physical issues that might contribute to that decision.  
7 Some -- for some kiddos, it might be related to trends  
8 that we see in the functional behavioral assessment data  
9 that indicate that -- let's say it's a young child who is  
10 kindergarten, first grade, and is getting a lot more  
11 behaviors in the afternoon due to a fatigue factor.  
12 Those might come into play. Those kinds of situations.

13 Q And what education is provided to them when  
14 they are not in school?

15 A So it's as required, you know, for any student,  
16 and depending on what kind of program they're on. You  
17 know, some students may be on hospital homebound. Some  
18 may be on a home-based instruction kind of situation. So  
19 it depends on, you know, how that -- how that is agreed  
20 upon in the IEP committee.

21 Q And do you have access to the racial  
22 demographics of NorthStar students available to you?

23 A I have access to that, yes.

24 Q How is that information tracked?

25 A I mean, we do track it on our student

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1 information sheets that we have. And each of our  
2 counties, obviously, tracks their own demographic  
3 information, as well, of a student, Longitudinal Data  
4 System and their internal measures.

5 Q I am going to hand to the court reporter what  
6 was previously marked as Plaintiff's Exhibit 82.

7 The top of this document is titled 164- -- oh,  
8 sorry, 160-4-7-.15, Georgia Network for Educational and  
9 Therapeutic Supports (GNETS). Correct?

10 A Yes.

11 Q Do you recognize this document as the 2017  
12 GNETS rule issued by GaDOE?

13 A Yes.

14 Q And are you familiar with this document?

15 A I am.

16 Q How?

17 A I reference it routinely.

18 Q And who introduced you to it?

19 A Lord, I certainly have been aware of it since  
20 becoming a director. It's just something that's kind of  
21 standard, one of the first things as a GNETS director  
22 that you're aware of. But even before that in my role as  
23 the continual improvement specialist in Cobb, I was aware  
24 of the rule.

25 Q Have you received training on it?

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1 A Certainly. Not formal training.

2 Q What kind of informal training?

3 A We certainly have frequent conversations about  
4 the rule within the directors and GaDOE in terms of  
5 requirements. So it's not formal training but certainly  
6 discussions.

7 Q And who from GaDOE have you had discussions  
8 with about the rule?

9 A It would have been Nakeba Rahming, Vickie  
10 Cleveland. I'm trying to think if there's anyone else.  
11 Those would have been the primaries.

12 Q Do you receive any written guidance or manuals?

13 A No.

14 Q As a director, does the GNETS rule provide you  
15 with GaDOE's expectations regarding your program's duties  
16 and responsibilities?

17 A I believe so.

18 Q Can you please describe the process for which a  
19 student gets referred to NorthStar.

20 A So as I kind of indicated earlier, all of our  
21 students who are considered for services come through a  
22 request from the special education director. That  
23 request comes to me. Typically it starts with just a  
24 review of records to determine, you know, if the student  
25 has the appropriate -- just to see if the student would

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1 be appropriate for service.

2 I typically go out and try to visit the  
3 student's classroom, look at the interventions that are  
4 in place, as well as, you know, request any additional  
5 information that is being collected at that time. If,  
6 you know, things like functional behavior assessments or  
7 behavior intervention plans are being adapted or changed,  
8 then to get that additional information.

9 And once we've had an opportunity to do all of  
10 that, the special education directors typically keep me  
11 informed as to how any adjustments to the student's  
12 programming are going. And then if it looks like the  
13 student needs to be considered for services, I am invited  
14 to an IEP meeting, sometimes multiple IEP meetings, just  
15 depending on where the student is in process, so...

16 Q And what happens next after that?

17 A So if the IEP committee decides that NorthStar  
18 is an appropriate placement, is that the question?

19 So typically our process is even prior to that  
20 decision, to allow parents to visit, see the classroom,  
21 the school, to ask any questions that they have.  
22 Parents, after their meeting, come in and fill out some  
23 intake paperwork for us as well. Again, make sure that  
24 they're introduced to the teacher and any of the clinical  
25 staff so that we've established lines of communication

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1 and obtain any consents that need to be obtained to help  
2 facilitate communication. And then at the agreed -- the  
3 date agreed by the IEP committee, the student would start  
4 services.

5 Q And does NorthStar keep record of who is  
6 referred to the GNETS program and the outcome of those  
7 referrals?

8 A No, not -- I don't have an official document  
9 that I maintain.

10 MS. CHEVRIER: Okay. I'm going to ask the  
11 court reporter to please mark this next exhibit as  
12 Plaintiff's Exhibit 851.

13 (Plaintiff's Exhibit 851 was marked for  
14 identification.)

15 Q BY MS. CHEVRIER: And we have added a temporary  
16 Bates number NORTHSTAR\_TEMP\_000273.

17 This is the GNETS request for consultation  
18 form, correct?

19 A Yes, ma'am.

20 Q Do you recognize this document?

21 A I do.

22 Q Who created this document?

23 A The State. Well, a committee, I believe,  
24 with -- within the GNETS directors.

25 Q And what committee is that?



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1 A It was just a group of GNETS directors that  
2 worked together to look at ways we were collecting this  
3 initial information and come up with a standard form. I  
4 don't even remember what the committee's name was.

5 Q And were you a part of that committee?

6 A No, not this one.

7 Q Okay.

8 A I don't think.

9 Q Do you know who, if anyone, directed the  
10 committee to create this form?

11 A That might have been back when Nakeba was  
12 leading us.

13 Q Okay. So this is Nakeba Rahming --

14 A Yeah.

15 Q -- from GaDOE?

16 What is this document used for?

17 A This is the initial information we use when  
18 they want us to begin to look at a student for  
19 consideration of services.

20 Q And who fills --

21 A Or actually, this one -- I apologize. This is  
22 for consultation. Sorry.

23 Q So this document is used to request GNETS  
24 consultation?

25 A Yes. Yes.

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1 Q And who fills out this form?

2 A The LEA.

3 Q And does NorthStar receive a filled out version  
4 of this for every student who is referred for its  
5 services?

6 A For any student they are requesting  
7 consultation on.

8 Q Okay. And so there aren't any circumstances  
9 under which a student would start receiving NorthStar  
10 services without this form initiating?

11 A No.

12 Q Do you see on this document where it says,  
13 "Check the Consultative Services you would like for GNETS  
14 to provide," and then it says, "Choose one"?

15 A Yes.

16 Q It's -- it then lists participation in a  
17 planning meeting, FBA coaching, BIP planning, et cetera,  
18 correct?

19 A Yes.

20 Q Are these services that NorthStar provides?

21 A Yes.

22 Q And who provides these services?

23 A I do.

24 Q So if an LEA checked off functional behavioral  
25 assessment coaching, you would provide the functional

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1 behavioral assessment coaching?

2 A Yes, or I would delegate if necessary.

3 Q And does that include a GNETS -- a NorthStar  
4 GNETS employee providing services within a gen ed  
5 environment?

6 A It could.

7 Q But, and it could mean going into the local  
8 education agency to a site that's not a GNETS site?

9 A Yes.

10 Q And has NorthStar provided FBA coaching in  
11 LEAs?

12 A Yes.

13 Q And participating in BIP plan development?

14 A Yes.

15 Q And classroom observation with written  
16 feedback?

17 A Yes.

18 Q And records review with feedback?

19 A Verbal feedback traditionally is how we do  
20 that.

21 Q Let's refer back again to the FY '22 NorthStar  
22 GNETS grant application.

23 A Okay.

24 Q I know. Just keep it handy.

25 And again, this is NORTH -- Bates stamped

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1 NORTHSTAR\_TEMP\_000046.

2 Can we turn to the very last page. Do you see  
3 where it asks -- sorry. Do you see where it asks, "How  
4 many requests have you had for extended services on-site  
5 consultation from LEAs"?

6 A Yes.

7 Q Is that the same process we were just  
8 discussing with the consultation packet?

9 A Sometimes it's through the packet. Sometimes  
10 it's a verbal request.

11 Q And what does "extended services on-site  
12 consultation from LEAs" mean?

13 A It's everything from us coming to observe a  
14 classroom and to give feedback about any interventions we  
15 think might be helpful. Sometimes that might be maybe  
16 we've reintegrated a student back into an LEA and they  
17 are struggling, and so us going out to provide  
18 suggestions or recommendations based on what we found  
19 effective and trying to help that LEA get the kid to  
20 settle and become a little more successful.

21 Q Yeah. Do you see that your response to this  
22 question, to how many requests have you had for extended  
23 services on-site consultation from LEAs was 26?

24 A Uh-huh.

25 Q Sorry, is that a yes?

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1 A Yes.

2 Q Do you see where it asks, "How many on-site  
3 consultations were provided to LEAs"?

4 A Yes.

5 Q Do you agree the response to that is 16?

6 A Yes.

7 Q What accounts for the difference between the 26  
8 requested consultations and the 16 provided  
9 consultations?

10 A I guess when I answered that question, I am  
11 focusing specifically on the things in the parentheses  
12 there, student observations, FBA, BIP, teacher support,  
13 as opposed to more generic consultations, which could  
14 also include -- in my head, that would probably include  
15 things like the file reviews and those -- those kind of  
16 things, or just in general conversations or consults  
17 about individual students. So the first being a broader  
18 category than the second.

19 Q What is NorthStar's goal with respect to  
20 exiting students?

21 A So that's always an IEP team consideration. We  
22 look at reintegration in the less restrictive settings at  
23 every -- pretty much every IEP-type meeting, whether it's  
24 a review or an annual.

25 Once we decide what the appropriate goal

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1 services and supports are for a student, we always  
2 consider every part of the continuum to decide what's the  
3 most least restrictive place that student can be served.

4 Q And is there a goal for how long students stay  
5 in GNETS?

6 A No. There's no formal criteria.

7 Q And does NorthStar track how long students are  
8 in their GNETS program?

9 A We certainly have that record -- you know, we  
10 have records that have that information. We don't have a  
11 document that lists that specifically.

12 Q Have you ever looked at it from site to site  
13 how long students stay in the GNETS program depending on  
14 where they are located?

15 A I have not done specific site-by-site  
16 comparison, no.

17 Q Do you know what the average length of time a  
18 student is enrolled at NorthStar is?

19 A It just varies greatly. We have some students  
20 that come in for less than 45 days. We have some that  
21 are with us multiple years, so it varies.

22 Q Is there any difference between those students  
23 in centers and those students in school-based locations  
24 as far as the length of time they remain in GNETS?

25 A I have not analyzed that data.

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1 Q When a student remains in NorthStar for years,  
2 is that something that concerns you?

3 A It depends on the individual student. You  
4 know, generally, we want to get students out to their  
5 general education sites as quickly as possible, but we do  
6 have some students for which the larger local schools are  
7 so overwhelming that it would interfere with their  
8 quality of educational experience, and so I -- I worry  
9 less about those particular children. But that's usually  
10 a decision that the entire IEP committee is in agreeance  
11 in terms of what is the least restrictive environment for  
12 that student that allows them to be successful.

13 Q Are there students who spend their entire  
14 academic career at NorthStar?

15 A I cannot think of any that we've had that have  
16 been there their entire educational career.

17 Q What about large portions of their academic  
18 career?

19 A There certainly are some.

20 Q How many years would you say that is?

21 A I would totally be guessing if I was -- I'm  
22 trying to think of maybe my student I've had the longest  
23 now. There are certainly ones I can think of six or more  
24 years.

25 Q Does NorthStar currently have any standard exit

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1 or transition criteria?

2 A No.

3 Q Does exit criteria typically differ for GA  
4 students compared with Milestone students?

5 A No.

6 Q Has -- did NorthStar have any standard exit or  
7 transition criteria in the past?

8 A I don't believe so.

9 Q Is exit criteria set for specific students at  
10 NorthStar?

11 A No.

12 Q So how is it assessed whether it's appropriate  
13 for a student to exit GNETS?

14 A So obviously, some of the factors that we look  
15 at in making that decision are we look at some of those  
16 referring behavior, which are those severe social and  
17 emotional behaviors, and look at the level of those  
18 behaviors and whether those would interfere with a  
19 student's ability to have a successful experience at  
20 their home school.

21 Q How frequently is it reviewed whether or not a  
22 student has decreased the interfering behaviors to an  
23 extent that might allow them to exit?

24 A For sure annually, but I would say on most of  
25 our students, two to three times a year. I mean, we meet



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1 frequently with our families.

2 Q Okay. What does transition look like for a  
3 NorthStar student?

4 A It's totally individualized. The committee is  
5 responsible for determining pacing, number of segments,  
6 you know, whether a student starts with an individual  
7 class out and establishes success, gradually increases  
8 their number of segments, but it's individually paced  
9 totally but with a particular kind of student. For some  
10 of our students going faster is -- is more appropriate,  
11 given the student's special skills and needs; and for  
12 other students, a slower transition is appropriate. So  
13 the committee decides that entirely.

14 Q And when you say "committee," is that IEP team?

15 A It is the IEP committee.

16 Q And so you said that it's strictly  
17 individualized. So is it accurate to say that typically  
18 a student, if they are being exited, might be  
19 transferred -- are they -- I guess, strike that.

20 If a student is in a center-based location, are  
21 they ever transferred to a school-based GNETS location as  
22 part of their transition?

23 A Not currently.

24 Q Okay. And if a student is at a center-based  
25 location, is it possible that they will go straight to a

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1 gen ed classroom or --

2 A We've had that happen for certain.

3 Q Okay. And then it's also possible that they  
4 might go into a transition classroom in their local  
5 education agency; is that accurate?

6 A So, again, we don't have any transition sites  
7 currently, so we determine the level of service that's  
8 required at the home school environment, which can  
9 include everything from a small group setting, team  
10 taught, gen ed, you know, whatever is most appropriate  
11 for that student.

12 Q And there are no transition sites currently, so  
13 does that mean that GNETS NorthStar staff don't provide  
14 school-based services outside of their school-based  
15 location for a student who is transitioning?

16 A We do, but the primary -- each LEA essentially  
17 monitors the student in those sites, and we would just be  
18 pushing in for counseling or support or recommendations.  
19 Sometimes we do have staff that will go with a student  
20 initially in transition to help transfer teaching  
21 strategies and be a support to the student, and then we  
22 would fade that staff out.

23 Q And what does that coordination look like with  
24 the receiving school who is gonna start to --

25 A All very individualized. So, you know, it

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1 just -- I mean, it depends on the county. And so I'm  
2 just thinking of a couple of our counties who have BCBAs  
3 on-site and who support their counties, and so a lot of  
4 times those folks are involved in a transition, and other  
5 counties it's the direct teacher or support staff they  
6 have available.

7 So it really depends on the individual kid, the  
8 requirements, and the level of consultation, I guess,  
9 that's being required.

10 Q And what -- you mentioned that there are some  
11 counties that you work with that have BCBAs on-site.  
12 Which counties are those or which school districts?

13 A So Dalton Public has BCBAs, as well as Pickens.

14 Q Okay. So when a student who is transitioning  
15 back to one of the other counties, like Gilmer or  
16 Whitfield or Murray, who don't have these BCBAs, how does  
17 that transition look like?

18 A So it can happen usually with the special  
19 education staff, as well as the teaching staff in that  
20 location. Some of those counties will contract in some  
21 situations, but typically, it's not on reintegration.  
22 Typically it's, you know, trying to prevent a placement  
23 ahead of time.

24 Q Could you elaborate on that? What do you mean  
25 by "prevent a placement ahead of time"?

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1           A    So when they are struggling to find strategies  
2   that will work for the kid to help them in their least  
3   restrictive environment. You know, sometimes they will  
4   contract for a board-certified behavior analyst to come  
5   in and give recommendations.

6           Q    Gotcha. And that would be after a student has  
7   transitioned from GNETS to -- back to their home school?

8           A    Like I said, typically it's pre-referral.

9           Q    Okay.

10          A    But certainly it would be an option, but I  
11   don't think we've had any instance of needing it on  
12   transition.

13          Q    Okay. And is there any training involved when  
14   you are coordinating a student exiting from GNETS?

15          A    Yes. So certainly, you know, one of the things  
16   we always do when a student comes to us is, obviously,  
17   the school and the system has done a functional behavior  
18   assessment in their environment. In the first 45 days  
19   and kind of onward we are doing full assessments and  
20   trying to tweak interventions to see -- you know, to help  
21   make that behavior change happen.

22                So certainly as we're exiting, we are sharing  
23   all those strategies that we've found that have worked  
24   with the student has been at us, and also continued to  
25   stay in contact with that school to help problem solve if

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1 additional adjustments need to be made as the student is  
2 transitioning back into their -- their local environment.

3 Q And who arranges for services at the new  
4 placement?

5 A It's usually arranged within the IEP committee  
6 or between the coordinating special ed director and our  
7 coordinators or myself.

8 Q And I believe we covered this earlier, that  
9 when a student is placed at NorthStar, they don't  
10 necessarily start at a school-based classroom and then  
11 transition to a center-based classroom?

12 A Not necessarily, yeah.

13 Q And that's, I believe you said before, because  
14 it's more regionally based, so students from Pickens go  
15 to Pickens, and students from Dalton go to Dalton?

16 A Correct.

17 Q Similarly, if a student is about to be placed  
18 in GNETS at a school-based location, do they start with a  
19 certain -- with a smaller number of segments and then  
20 transition to more segments in the GNETS program at  
21 some --

22 A Sometimes that happens, yeah.

23 Q What would cause that to happen?

24 A Again, that would just be the IEP committee's  
25 decision. So, for instance, a common thing we sometimes

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1 see is maybe they just want more intensive social skills  
2 and emotional regulation skills training, and so they  
3 might just transition a kid in just for that segment.

4 And I can think of a couple other cases where  
5 maybe the student is struggling in their academic content  
6 areas but they are doing okay in what we call in Georgia  
7 their specials, which is their art and their music and  
8 their PE and those kinds of courses. And so if, you  
9 know, the behaviors aren't occurring in those segments  
10 and they are being successful, then we would maintain the  
11 segments.

12 Q And who assesses when a student is ready to  
13 transition to a less restrictive setting?

14 A The IEP committee.

15 Q And that's what you said is at least annual but  
16 often more frequently?

17 A Yeah. So typically, you know, our staff are in  
18 communication with the local educational agency, and, you  
19 know, when we think we're -- we're getting close, we call  
20 a meeting, you know, to discuss that with the IEP  
21 committee. And that usually is just based on reduction  
22 in the referral behaviors that the student, you know, was  
23 referred for initially. And that allows the LEA to begin  
24 to work and look at their resources and supports, and  
25 then we bring the committee together to decide if that's

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1 appropriate or, you know, if any other supports need to  
2 be put in place to help that transition make  
3 successfully. But it would be up to the committee  
4 whether that transition actually happened and what that  
5 would look like.

6 Q And you said that sometimes you call the  
7 meeting. Who would call that meeting?

8 A It could be a parent. It could be us. It just  
9 depends on the situation.

10 Q Is it ever called by someone at the home school  
11 district?

12 A Typically it's coordinated -- it's coordinated  
13 between us and the home school district. Yeah, I  
14 guess -- I can think of situations where the LEA is  
15 requesting.

16 Q On what basis is the determination made that a  
17 student is ready or not ready to transition to a less  
18 restrictive setting?

19 A I mean, it varies with the student, but  
20 essentially, you know, we're looking at the services and  
21 supports available at that location to support the goals  
22 and objectives and strategies within the IEP and whether  
23 that be implemented effectively in -- in a less  
24 restrictive environment.

25 Q Last school year, so the 2021 to 2022 school

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1 year, how many students transitioned back to their home  
2 school?

3 A I don't have that number off the top of my  
4 head.

5 Q Do you have a ballpark?

6 A Oh, I'd say last year, 15, maybe. I don't  
7 know.

8 Q And was that higher or lower than in previous  
9 years?

10 A It was probably a little bit higher than right  
11 after COVID. We definitely saw longer, I think, lengths  
12 of stay a little bit after that, and then we kind of had  
13 a little bit higher rate last year.

14 Q Were any students transitioned back to their  
15 home schools during COVID?

16 A Actually during the COVID outage from  
17 February to May, I don't believe so.

18 Q Okay. Is there any sort of trend, other than  
19 COVID, with how many students are transitioning back to  
20 their home schools?

21 A Like I said, prior to that we were having a  
22 decrease, just because our LEAs were doing a great job of  
23 trying to increase their level of resources that they are  
24 providing to their students. That changed a little bit  
25 after that. But again, we're seeing a little bit of



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1 stabilization now.

2 Q So you just said that there's -- there was a  
3 decrease in the number of students in GNETS because the  
4 LEAs were doing a great job of increasing the level of  
5 resources that they had and were providing to students.

6 A Uh-huh.

7 Q Would you say, is it accurate to say that the  
8 number of students in GNETS fluctuates with the amount of  
9 services provided by the LEAs?

10 A That certainly helps a great deal.

11 Q Last school year, so 2021 to 2022 -- correct me  
12 if I'm ever wrong with that.

13 A That's all right. No worries.

14 Q Did you have students return to the GNETS  
15 program after transitioning to a less restrictive  
16 environment?

17 A Certainly had that happen. Now, whether that  
18 happened last year, probably. But I can't recall the  
19 student.

20 Q Do you have a sense of how often that occurs?

21 A Not often. You know, like I said, it does  
22 occur. Oftentimes we see that occur. Sometimes  
23 developmentally it's a challenge, you know, and kids  
24 regress a tad as they move developmentally along the  
25 continuum and just get into some different situations.

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1 Sometimes it's family crises that cause somewhat of a  
2 regression.

3 So it -- it does happen. We tend to find that  
4 when kids do come back, it's a short stay. It's just for  
5 a tune-up, and then we can usually get them some  
6 counseling and help them work through the support system  
7 and get them back out again fairly quickly.

8 MS. CHEVRIER: I think this might be a good  
9 place to stop.

10 THE VIDEOGRAPHER: Going off video record at  
11 12:33 p.m.

12 (The deposition was at recess from 12:33 p.m.  
13 to 1:44 p.m.)

14 THE VIDEOGRAPHER: We are back on the video  
15 record at 1:44 p.m. You can proceed.

16 Q BY MS. CHEVRIER: Hi, Dr. Neal.

17 A Hi.

18 Q Before we broke for lunch, we talked a little  
19 bit about the GNETS rule and you said that it's something  
20 that you reference frequently?

21 A Yes.

22 Q Is that right?

23 A Yes.

24 Q What reasons do you -- cause you to routinely  
25 review the rule?

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1           A   Typically it would be to answer, you know,  
2   questions or just if we're in relation to consideration  
3   of students, just to make sure we're kind of staying  
4   within guidelines and that kind of thing.

5           Q   And how -- how do you use it when you are  
6   use -- when you're reviewing it for those purposes?

7           A   Probably just definitionally, just to make  
8   sure, you know, we're matching up with what the  
9   expectations are in the rule.

10          Q   And also before the break we were talking about  
11   the different support staff that you have at NorthStar,  
12   including some that weren't present on the grant  
13   application. Is that right?

14          A   That's correct.

15          Q   Who funds the different support staff? So I  
16   know you spoke about school psychologists. Where does  
17   that funding come from?

18          A   So my school, the school psychologist is the  
19   therapeutic grant that comes from -- it's partially from  
20   the therapeutic grant. At one point it was partially  
21   locally funded as well.

22          Q   But currently it's the therapeutic grant which  
23   comes from --

24          A   Correct. I'm not sure if that covers 100  
25   percent, but it's -- it covers a good portion of it.

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1 Q And that therapeutic grant is from GaDOE?

2 A Correct.

3 Q And then we also talked about social workers?

4 A Correct.

5 Q How are the social workers funded?

6 A So again, we have one of those positions that  
7 is partially covered again through the CARES grant.

8 Q And is the CARES grant -- I know that you  
9 mentioned this before -- is that directly funded or does  
10 that also go through the State?

11 A That's from the State as well. I'm saying  
12 CARES. It could be CARES or the ARP. I can't remember  
13 which one it is, but --

14 Q Okay.

15 A Yeah.

16 Q And sorry, you said ARP?

17 A Yeah, ARP. They are both related to COVID  
18 moneys that have flown for therapeutic services.

19 Q Gotcha. Do you know what ARP stands for?

20 A No.

21 Q And then is there any other like service  
22 provider staff that I'm missing in addition to school  
23 psychologist and social workers?

24 A So I have my school counselor, who is also my  
25 therapeutic coordinator, but her position, it's

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1 probably -- it's state or federally funded. I don't know  
2 which category she was in, but it's out of our GNETS  
3 money, so to speak.

4 Q Okay. So does it come through GaDOE even if  
5 it's federal funding?

6 A I mean, it's -- it's stuff we've gotten with  
7 our grant every single year, so it's not like -- like the  
8 therapeutic grant or the -- the other grant, but I think  
9 it's -- you know, it's some of the federal money that I  
10 suppose flows somewhat through GaDOE.

11 Q Okay. Changing gears, do students at NorthStar  
12 Pickens Center have the opportunity to interact with  
13 nondisabled peers during the day?

14 A Not on a routine basis.

15 Q How -- in what ways do they interact with  
16 nondisabled peers on a not routine basis?

17 A So we're right across the street from another  
18 school, so we do go over there to use the gym and to use  
19 playground facilities and things like that. So there is  
20 not always other students out there, but they certainly  
21 walk through the hallways and, you know, can interact  
22 with students in that -- in that kind of way or if they  
23 are on the playground at the same time and those kind of  
24 things.

25 Q And you said not routinely. Is there a

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1 schedule during which -- like is there a set time in  
2 which you use those facilities?

3 A For the gym, yes. Playground facilities, not  
4 necessarily.

5 Q How frequently do Pickens Center students use  
6 the gym at this other school?

7 A Pretty much -- I don't know that schedule off  
8 the top of my head, but it's several times a week.

9 Q Okay. And are there other students in the gyms  
10 during those times?

11 A Not generally.

12 Q Okay. And so there isn't any specific way that  
13 they would interact with a student other than if they  
14 happen to be in the hallway or happen to be in the gym at  
15 the same time?

16 A Certainly if they are in transition to that  
17 school, you know, then certainly they are interacting as  
18 if any other student. But just for our kids who are more  
19 still in small group classrooms with us, no.

20 Q And in transition to that school, you mean like  
21 when they are walking through the building to get to the  
22 gym?

23 A Not that kind of transition. So if we are  
24 exiting -- beginning to exit a student and they are in  
25 the transition process, so obviously, they might be in

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1 one of the classrooms in that building, and so --

2 Q Gotcha.

3 A -- that would be more as part of the  
4 reintegration process.

5 Q So for students who are not in the transition  
6 process, meaning they are not getting integrated back  
7 into a different school from their NorthStar Pickens  
8 Center location, those students would not typically  
9 interact with students?

10 A That's correct. There was a period of time  
11 where they would do lunch over there, but when it turned  
12 into a middle school, just because of the age  
13 differences, it became less appropriate, so...

14 Q Gotcha. Pickens Center does still have middle  
15 school students, though, correct?

16 A They do.

17 Q But those middle school students don't eat with  
18 peers at the other school?

19 A All the students eat with us, yeah.

20 Q Okay. Do you think that such opportunities to  
21 interact with nondisabled peers would be beneficial?

22 A In some cases, yeah.

23 Q Why?

24 A I mean, obviously, the -- the theory is that  
25 being able to just see more normative behavior and have

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1 the opportunity to kind of interact with kids without  
2 behavior problems could be a positive role model for some  
3 kids. For some kids it's really anxiety provoking and  
4 overwhelming, but it just depends.

5 Q Do students at the NorthStar Dalton Center have  
6 opportunities to interact with nondisabled peers during  
7 the day?

8 A Again, not traditionally.

9 Q And in what ways do they in nontraditional  
10 ways?

11 A Pardon?

12 Q So you said not traditionally, so are there any  
13 ways that they do?

14 A So unless -- there have been occasions where  
15 we've went out for assemblies or there are a couple of  
16 schools that are very close to where we are or students  
17 are participating in those types of activities in a  
18 regular education type of environment, but not on a  
19 scheduled, you know, weekly basis.

20 Q And you said that you go out for assemblies.  
21 Do you go out for all of the assemblies at those other  
22 schools?

23 A No, usually specific kinds of opportunities.

24 Q Like what?

25 A So it could be anything. Sometimes it's like a



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1 speaker. Sometimes it might be -- I know at one school  
2 we participated in a career day where they had a bunch of  
3 different businesses on-site, and we went and  
4 participated in that activity.

5 Q Let's talk about East Fannin Elementary School.

6 A Okay.

7 Q Do GNETS students at East Fannin Elementary  
8 School eat lunch in the cafeteria with gen ed students?

9 A No. They can, but typically because of the  
10 high level of anxiety, our students choose not to.

11 Q So it's a student level choice?

12 A And so I would say between the student and the  
13 teachers and the families as to whether they can manage  
14 the level of anxiety that it creates for them in the  
15 cafeteria.

16 Q And how -- is it made clear to students that  
17 they could opt into that if given parent and teacher  
18 approval?

19 A Certainly we have that discussion with families  
20 when we think they're, you know, ready for dealing with  
21 those kind of variables.

22 Q Do you have any students currently at East  
23 Fannin Elementary School that eat lunch in the cafeteria  
24 with gen ed students?

25 A Not currently.

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1 Q Have you in the past?

2 A Uh-huh.

3 Q Sorry, is that yes?

4 A Yes. Yes. Sorry.

5 Q Do GNETS students at Fannin -- at East Fannin  
6 Elementary School have recess with gen ed students?

7 A Yes.

8 Q How frequently?

9 A Several times a week. Our kids don't always go  
10 out. Like it's been weather based mainly lately, but,  
11 you know, they do have pretty much daily recess.

12 Q And daily recess with nondisabled peers?

13 A That varies just depending on the schedules.  
14 So we have a set time that we go out, and there is often  
15 other students out there around the times. But I can't  
16 say if it's 100 percent of the time, but it's a lot of  
17 the time.

18 Q Gotcha. So students at the NorthStar East  
19 Fannin Elementary School have a set time for recess, and  
20 then sometimes nondisabled peers might be there at the  
21 same time?

22 A Yes.

23 Q But not always?

24 A Correct.

25 Q Do GNETS students at East Fannin Elementary

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1 School get to participate in specials with gen ed  
2 students?

3 A They do have that opportunity.

4 Q And is that an IEP-based decision?

5 A Sometimes, yeah. We are increasingly trying to  
6 push kids into those units, but we are not 100 percent  
7 yet.

8 Q Could you ballpark what percentage of students  
9 at East Fannin Elementary School --

10 A I got --

11 Q Sorry. Let me finish it.

12 For the record, can you ballpark how many  
13 NorthStar students at East Fannin Elementary School  
14 participate in specials with gen ed students?

15 A So out of my five right now, three.

16 Q Let's talk about NorthStar at Fannin Middle  
17 School.

18 A Okay.

19 Q Do GNETS students at Fannin County Middle  
20 School eat lunch in the cafeteria with gen ed students?

21 A Again, they go to the cafeteria to get their  
22 lunch, but most of them are choosing to eat in the -- eat  
23 in the classroom.

24 Q And again, that's a choice made by the student  
25 and their family and their teacher?

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1 A Uh-huh.

2 Q Do GNETS students at East -- at -- sorry, at  
3 Fannin County Middle School participate in specials with  
4 gen ed students?

5 A Again, some of them are.

6 Q And is that an IEP decision?

7 A Not necessarily. Well, yes, it is an IEP  
8 decision.

9 Q And let's talk about Fannin County High School.  
10 Do GNETS students at Fannin County High School eat lunch  
11 in the cafeteria with gen ed students?

12 A Again, that's on a student by student basis by  
13 the IEP team.

14 Q Okay. And is it an IEP decision or a specific  
15 student and teacher decision?

16 A Generally, it's recorded in the IEP --

17 Q Okay.

18 A -- for that.

19 Q And do GNETS students at Fannin County High  
20 School have recess with gen ed students?

21 A Our high schools don't have recess.

22 Q And do they have -- do GNETS students at Fannin  
23 Elementary -- sorry, at Fannin County High School  
24 participate in specials with gen ed students?

25 A It's all according to their courses, and it

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1 depends. So, for instance, there's a PE health course  
2 that every kid in the state of Georgia has to have, and  
3 it can -- it can either -- depending on the level of  
4 support, some of our kids do that online. Some of our  
5 kids do that out in a classroom. So it just depends on  
6 the kid what courses they need and what the IEP decides  
7 is the best environment for them to take that course.

8 Q Are there any other opportunities to interact  
9 with gen ed or nondisabled peers that we haven't  
10 discussed that students at any one of the three Fannin  
11 schools get to participate in?

12 A So occasionally we will have a kid that's  
13 involved in what they call -- like in Pickens, they call  
14 them clubs, and so we've had students participate. They  
15 are in some of the high school clubs that are going on.  
16 We've had a couple of kids that have been involved in  
17 extracurricular sports, have been like team managers or  
18 things on sports teams and that kind of thing.

19 Q And so for the students at the Pickens Center  
20 that participate in clubs, what school clubs do they --  
21 like what school do they go to to participate in those  
22 clubs?

23 A They -- pretty specifically we've -- there's a  
24 club they call the Partners Club. It's where general  
25 education students kind of work with special education

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1 students on fun activities or that kind of thing, and  
2 that's the one most commonly our kids have been involved  
3 in, but...

4 Q So is that a club that takes place at Pickens  
5 or at a different facility?

6 A It takes place at the high school.

7 Q Okay. And that's the high school that's across  
8 the street?

9 A No, the high school is a little ways away.

10 Q Okay.

11 A A few miles away, so it's a busing issue.

12 Q Okay. And so students from Pickens go to that  
13 high school?

14 A Correct.

15 Q Okay. Do students at Pickens generally get to  
16 participate in other types of clubs?

17 A Not generally.

18 Q And so the one club that they do participate in  
19 is specific for the interaction between students with  
20 disabilities --

21 A Right.

22 Q -- and students without disabilities?

23 A And it could be others. Like my Fannin kids  
24 have done FFA and some of those types of clubs, so it  
25 just depends on what's being offered and where we think

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1 the student will most enjoy it and be successful.

2 Q Are there any other activities that allow  
3 students to participate with -- in activities -- sorry.

4 Are there any other opportunities for students  
5 to participate in activities with nondisabled or gen ed  
6 peers for students who attend one of the Fannin NorthStar  
7 locations?

8 A At Fannin, I'm just trying to think. So for  
9 instance, they -- they do districtwide Christmas programs  
10 and things like that where the kids all learn songs and  
11 then they perform, and so our kids are included in those  
12 grade level-type activities where they go practice to be  
13 able to do the performance at the big performing arts  
14 center and those types of activities.

15 Q And is that in the elementary school?

16 A Uh-huh. Correct.

17 Q Is there anything similar in the middle or high  
18 school?

19 A So more at those levels, that would be more  
20 where it would be kind of in that specials clubs kind of  
21 situation. So like at Fannin Middle there's been some of  
22 the kiddos that have been working on creating -- working  
23 on the outside, agri -- not agricultural -- landscaping  
24 kind of around the school, creating trails and those kind  
25 of things, and flower beds and those kind of things, so

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1 our kids have helped with some of those activities.

2 Q And thinking about the students who are  
3 currently served at NorthStar GNETS, what clubs or  
4 extracurricular activities are students currently  
5 participating in?

6 A I'm trying to think. I don't know that we  
7 have -- like again, I think I have one student that's  
8 participating in FFA. And I think that's -- that's in  
9 Fannin.

10 Q All right.

11 A I'm trying to think if any of my kids in  
12 transitions, if they are doing -- you know, we do have a  
13 couple of kids, too, that do after-school care, you know,  
14 at their school-based sites, so they are getting gen ed  
15 interaction in those types of cases.

16 Q And what is after-school care?

17 A Just where the school provides care until  
18 parents can kind of come pick up. So...

19 Q And can you think of any additional  
20 opportunities we haven't discussed in the Dalton or  
21 Pickens Center locations?

22 A So again, it would be things like participation  
23 in Special Olympics, which we typically participate in.  
24 Activities kind of like that.

25 Q Has Special Olympics been offered this year?



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1 A It's usually a springtime opportunity.

2 Q And so was it offered last year?

3 A Uh-huh.

4 Q And how many students -- so is that at Pickens  
5 or Dalton?

6 A Primarily -- we are very consistent in Pickens.  
7 I'm trying to think if we've done it recently in Dalton.  
8 But I can say for sure for Pickens.

9 Q And how many students participate from Pickens  
10 in the Special Olympics?

11 A It was a handful of kids last year.

12 Q So --

13 A Five.

14 Q Five?

15 A Yeah.

16 Q And what factors go into deciding not to do it  
17 at Dalton?

18 A So I think part of kind of the last couple of  
19 years has been being in one district with a building and  
20 then switching to a new building and developing some of  
21 those relationships and getting some of those things kind  
22 of established.

23 So, you know, as we were kind of -- we moved  
24 midyear, so we were kind of at one district for half of  
25 the year and then another district for half of the year,

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1 and so just trying to get some of those relationships  
2 developed and get them thinking about reminding us when  
3 those opportunities are coming up so we can participate.

4 Q You stated earlier in a couple of different  
5 times that the placement process occurs through the IEP  
6 team. Is that correct?

7 A You're talking about the consideration -- when  
8 they are referred for service?

9 Q Yes.

10 A Okay. Yes.

11 MS. CHEVRIER: I'd like the court reporter to  
12 mark this as Exhibit 852.

13 (Plaintiff's Exhibit 852 was marked for  
14 identification.)

15 Q BY MS. CHEVRIER: This is an e-mail from you,  
16 Dr. Neal, to Nakeba Rahming, which includes a forwarded  
17 e-mail from you to Dr. Carlton Wilson and Shelley Goodman  
18 with Sam DePaul copied, correct?

19 A Correct.

20 Q And it's Bates number GA00791070.

21 Do you recognize this e-mail?

22 A Yes.

23 Q Who is Carlton Wilson?

24 A He's a -- he was a superintendent for Pickens  
25 County School District.

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1 Q And who is Shelley Goodman?

2 A She was the special ed director at that time.

3 Q Also for Pickens School --

4 A Yes.

5 Q -- District?

6 And who was Sam DePaul?

7 A He was my RESA director.

8 Q So North Georgia RESA?

9 A Correct.

10 Q The e-mails to these individuals is in response  
11 to a concern that you had not received the assurances and  
12 intersystem agreement from Pickens County School,  
13 correct?

14 A Correct.

15 Q You provide them with a list of next steps that  
16 you would have to, quote, regrettably, quote, occur,  
17 correct?

18 A Correct.

19 Q Do you see the second step you outlined where  
20 you wrote, "We will begin to schedule IEPs so that  
21 Pickens so placement can be reviewed since NorthStar  
22 GNETS will no longer be an option in the Pickens  
23 continuum of services"?

24 A Yes.

25 Q By schedule IEPs, did you mean IEP meetings?

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1 A Correct.

2 Q Was it your understanding that GNETS would need  
3 to be removed from each child's IEP?

4 A Yes.

5 Q And was it your understanding that each child  
6 would be given a new placement on their IEP?

7 A They would have to relook at the whole  
8 continuum to decide where an appropriate placement would  
9 be.

10 Q Where at the time did you anticipate these  
11 students would be placed if not at GNETS?

12 MR. NGUYEN: Object to the form.

13 You may answer the question.

14 THE WITNESS: That would be up to each local  
15 educational agency.

16 Q BY MS. CHEVRIER: And the IEP team?

17 A Correct. Yeah, absolutely.

18 Q Am I correct, based on the fact that Pickens is  
19 still a county that you work with, that they did  
20 ultimately provide necessary documentation?

21 A They did.

22 MS. CHEVRIER: I'd like the court reporter to  
23 mark this next document as Plaintiff's Exhibit 853.

24 (Plaintiff's Exhibit 853 was marked for  
25 identification.)

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1 Q BY MS. CHEVRIER: And before we get to this  
2 document, when you were anticipating that students would  
3 have to have IEP team meetings in order to remove GNETS  
4 from their placement, were you -- was the plan for  
5 somebody from GNETS to attend those IEP meetings?

6 A Yes, that would be the assumption.

7 Q And who would have attended those meetings from  
8 GNETS?

9 A Likely myself or the coordinator.

10 Q So let's look at this exhibit.

11 A Okay.

12 Q This is an e-mail provided between you,  
13 Dr. Neal, Vickie Cleveland, and the previous e-mail also  
14 included LaKesha Stevens; is that correct?

15 A Yes.

16 Q The most recent e-mail is dated November 5th,  
17 2020, correct?

18 A Yes.

19 Q And the Bates number is GA00363752. Do you  
20 recognize this e-mail?

21 A Globally, yes.

22 Q Do you see where you wrote, "We do not support  
23 Cherokee. They provide services for their own students"?

24 A Yes.

25 Q And are you referencing Cherokee County School

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1 District?

2 A Yes.

3 Q What do you mean when you wrote, "They provide  
4 services for their own students"?

5 A So as we discussed previously, prior to my  
6 becoming director, they withdrew from participating in  
7 the Georgia Network for Educational and Therapeutic  
8 Supports, and they provide a separate school funded  
9 entirely by the county for their students.

10 Q And so Cherokee still does not send any of its  
11 students to a regional GNETS program?

12 A Not that I believe. I don't believe so.

13 Q And the separate school that they provide, is  
14 that -- that's part of their more significant needs on  
15 the continuum?

16 A It would -- my understanding is it serves a  
17 similar population to what we serve.

18 Q It's that they have just chosen to be outside  
19 of the --

20 A Correct.

21 Q -- GNETS framework?

22 A Correct.

23 MS. CHEVRIER: I'd like the court reporter to  
24 please mark this document as Plaintiff's Exhibit 854.

25 (Plaintiff's Exhibit 854 was marked for

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1 identification.)

2 Q BY MS. CHEVRIER: Bates number GA00946172.  
3 This is an e-mail between you, Dr. Neal, and LaKesha  
4 Stevenson dated April 22nd, 2019, correct?

5 A Yes.

6 Q Do you recognize this e-mail?

7 A I do.

8 Q You wrote, "Pickens County has decided that  
9 they would like to withdraw from GNETS services. They  
10 had a significant increase in the requested contribution  
11 due to falling student numbers and have decided that they  
12 would prefer to move services in system."

13 Correct?

14 A Yes.

15 Q What did you mean by "requested contribution"?

16 A So this is what I referred to earlier. When I  
17 first became director contributions were voluntary, and  
18 so when we introduced the formula, which basically  
19 required each system to -- you know, to contribute  
20 proportionally based on the number of students that we  
21 were serving, some counties really looked at their  
22 budgets at those points to decide, you know, which -- you  
23 know, if they wanted to continue with services or -- and  
24 Pickens was one of those that really seriously considered  
25 trying to do it on their own and then eventually decided

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1 that they would remain with GNETS.

2 But, of course, at this point they were still  
3 not sure what they were going to do, so... And we were  
4 required to communicate with GaDOE about those, if a  
5 system is considering such action.

6 Q To your knowledge, was there any communication  
7 with GaDOE when Cherokee decided to --

8 A That was before me.

9 Q Okay.

10 A So I couldn't speak to that.

11 Q And what did you mean when you wrote they have  
12 "decided that they would prefer to move services in  
13 system"?

14 A Just as I indicated, they really looked  
15 budgetary-wise at whether they could provide the services  
16 in absence of the grant, moneys that they received from  
17 us. So -- so that was the determination.

18 Q And is it your understanding that the decision  
19 was mostly made based on money? You just mentioned  
20 the -- they couldn't provide those services in the  
21 absence of the grant?

22 A I think money and expertise. I mean, that  
23 director frequently tells me that it would be extremely  
24 hard for them to replicate the quality of program that we  
25 deliver to them.



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1 Q And you said director. What --

2 A It's Kristy Bone.

3 Q And has NorthStar GNETS ever provided  
4 therapeutic services to students in gen ed settings at  
5 Pickens?

6 A Like I said, for a while we maintained  
7 transition classrooms that were in the regular schools.  
8 They tended to be small group classrooms, but they were  
9 on regular education sites.

10 Q What are your views on providing students with  
11 school-based therapeutic services in school?

12 A I'm very supportive.

13 Q Does NorthStar offer therapeutic services to  
14 its students?

15 A We do.

16 Q What services in particular?

17 A So individual counseling. Depending on if the  
18 student has outside counseling, we might either be  
19 meeting with the student a couple times a month just to  
20 reinforce what the independent counselor is doing. If  
21 the student has no counseling, then we might be  
22 providing, you know, most of the counseling around those  
23 skill based -- skill based -- skills that the student is  
24 trying to acquire to help them be more successful  
25 educationally.

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1 And then group counseling around the emotional  
2 regulation issues and the social skill issues, as well as  
3 a little bit around the trauma issues. Not deep trauma  
4 work, but just some of the common trauma experiences our  
5 kids have around safety and loss and some of those types  
6 of factor.

7 Q Does every NorthStar site have the same menu of  
8 therapeutic services as the -- as the others?

9 A You're talking NorthStar versus other GNETS?

10 Q Sorry, no. I mean NorthStar sites, so Pickens  
11 versus Dalton versus the Fannin locations.

12 A So yeah, in terms of their frequency of  
13 individual and group counseling, that is consistent  
14 across programs, I guess, and then based on how kids are  
15 triaged in terms of the level of support that they  
16 require. The only differences would be in the presence  
17 of like case management and those kinds of things.

18 So, for instance, in Pickens County I have  
19 someone who comes in two days a week to do individual and  
20 groups with kids, where because I don't have a  
21 coordinator in Fannin County, I have a full-time social  
22 worker who also has other responsibilities, kind of in  
23 regards to case management and helping with parent  
24 communication and those kind of things, but it's because  
25 of the differences and the ways the program is staffed.

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1 Q Sounds good. But the things that are the same  
2 are the same across Pickens --

3 A Correct.

4 Q -- Dalton, and Fannin?

5 A Correct.

6 Q And each of the three Fannin locations?

7 A Yes.

8 Q Who decides what services will be provided at  
9 each NorthStar site?

10 A In terms of therapeutic services?

11 Q Yes.

12 A So we have general expectations that, you know,  
13 for instance, every classroom is supposed to have group  
14 counseling two times a month. Kids who are scheduled and  
15 have parent permission for individual therapy get that  
16 two to four times a month based on, you know, what the  
17 team, you know, determines is most appropriate in the  
18 presence of outside services and those kinds of things.

19 And then, you know, we do have therapeutic  
20 staff on board all the time. So there's a lot of just  
21 opportunities for kids if they are having a tough day to  
22 go talk to people and problem-solving therapy around they  
23 got kicked out of their house last night or there was a  
24 domestic incident at the house and they need to talk  
25 through that, or they are off their medication and they

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1 are not feeling right or, you know.

2 So there is a lot of kind of just incidental  
3 stuff that comes up where they have the ability to talk  
4 to somebody if they feel they need to talk some of those  
5 issues out.

6 Q Is there a difference between what services are  
7 provided at centers versus school-based locations?

8 A Just availability would be the biggest. You  
9 know, where I have school-based locations, I have to  
10 float staff to those locations. Where in a center,  
11 they're -- they're present all the time.

12 Q And what process would need to be followed, if  
13 any, if NorthStar were to offer a new therapeutic  
14 service?

15 A I guess it would depend what the therapeutic  
16 service was. So I will give you an example. Being new,  
17 in a new building in Whitfield County, we have been  
18 talking about an IFI-level provider about possibly having  
19 them just kind of have space in the building, not  
20 necessarily be part of our drug therapeutic staff, but to  
21 be housed in the building just to -- you know, if they  
22 have clients there and those kind of things, to make it  
23 easier for kids and families to access the services. So  
24 obviously that would require district-level coordination,  
25 attorney-level coordination, all the things that have to

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1 be in place for an agreement like that, so...

2 Q Is GaDOE ever alerted about a new therapeutic  
3 service being offered?

4 A In that case we would. I don't know if it  
5 would be required, but we would want to make sure that  
6 they are aware of what we're doing.

7 Q And would those services appear anywhere in  
8 subsequent grant applications?

9 A There is a part in the grant where we talk  
10 about therapeutic, you know, service providers who we  
11 have been interacting with through the year and those  
12 kind of things and some of those structures. So I'm  
13 trying to think if there's a particular category that  
14 would fit that example that I gave you. But I think  
15 there is one that talks about relationships with outside  
16 providers that that would probably fall under.

17 MS. CHEVRIER: I'd like the court reporter to  
18 mark the next exhibit as Plaintiff's Exhibit 855.

19 (Plaintiff's Exhibit 855 was marked for  
20 identification.)

21 Q BY MS. CHEVRIER: And this is temporary Bates  
22 number NORTHSTAR\_TEMP\_000117. Although, that number is  
23 not present on the form.

24 This document is titled "NorthStar ETS  
25 Contracted Services/Scope of Work 2021-2022," correct?

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1 A Yes.

2 Q Do you recognize this document?

3 A I do.

4 Q Do you know who created this document?

5 A I'm assuming I did.

6 Q There are two names listed here, correct?

7 A Yes.

8 Q Jennifer Cook is the first one, correct?

9 A Uh-huh.

10 Q And it states that she is a "psychologist  
11 contracted for two days a week for therapeutic services  
12 (individual and group counseling, IEP and behavioral  
13 consultation, psychological consultations) at our Jasper  
14 site," correct?

15 A Yes.

16 Q And Jasper is the Pickens --

17 A Yes.

18 Q -- Center?

19 When did this contract with Jennifer Cook  
20 start?

21 A It finished last year, and I want to say she  
22 was with us for five years.

23 Q And so is it not ongoing?

24 A Not -- she took a full-time position in a  
25 system last year -- or this year would be the first year,

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1 I guess. Sorry.

2 Q And who now -- does anybody fulfill the role  
3 that she previously filled?

4 A Yes. I have a licensed social worker in that  
5 position now carrying out those same duties.

6 Q And is the licensed social worker GNETS staff?

7 A Yes. She's contract as well.

8 Q And who did Jennifer Cook report to?

9 A Myself.

10 Q And what were her qualifications for this role?

11 A She's a school psychologist.

12 Q And how was her position funded?

13 A So partially through local contributions,  
14 partially through the grant.

15 Q And by "local contributions," is that what we  
16 discussed previously about how the different sending  
17 counties now need to pay a certain portion?

18 A Correct.

19 Q And what was the process to get this position  
20 for the Jasper site, or the Jasper/Pickens site for the  
21 record?

22 A So it was the introduction of the new funding  
23 formula.

24 Q And what -- what new funding formula?

25 A The -- when we moved from voluntary

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1 contributions to proportional share contributions.

2 Q And that's specific for the sending counties?

3 A Correct.

4 Q The other name listed on this form is Britney  
5 LeCroy, correct?

6 A Yes.

7 Q And she is a "RBT contracted for one day a week  
8 of service at our Jasper site. Scope of work included  
9 behavioral modeling, coaching, and consultation, social  
10 skill instruction, parent trainings, student problem  
11 solving counseling, liaison with outside agencies and  
12 families," correct?

13 A Uh-huh.

14 Q Sorry, is that yes?

15 A Yes.

16 Q When did this contract with Britney LeCroy  
17 start?

18 A She was an extremely talented paraprofessional  
19 with me and RBT for a long time. After she had her  
20 second child, she decided she wanted to stay home more,  
21 so this might have been the first year, if I'm recalling  
22 correctly, that that was in place.

23 Q And is this contract ongoing?

24 A No. She still subs for us some, but we haven't  
25 done a contract with her this year.



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1 Q Okay. And who, if anyone, fulfills the work  
2 obligations that she filled previously?

3 A I have another registered behavior technician  
4 that does those duties now.

5 Q And who did she report to?

6 A The coordinator at that site as well as myself,  
7 because she did some program-wide duties.

8 Q And what were the qualifications for her role?

9 A So she's a trained registered behavior  
10 technician.

11 Q And how is her position funded?

12 A That was probably primarily locally funded.

13 Q And what was the process to get this position  
14 for the Jasper/Pickens site?

15 A It was really just looking at need. And at  
16 that point we were transitioning from her. We were in  
17 the process of hiring the new registered behavior  
18 technician, so using her to do some training and  
19 assistance with the new staff, as well as provide direct  
20 services to students as well.

21 MS. CHEVRIER: I'd like the court reporter to  
22 mark this document as Plaintiff's Exhibit 856.

23 (Plaintiff's Exhibit 856 was marked for  
24 identification.)

25 Q BY MS. CHEVRIER: This is temporary Bates

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1 number NORTHSTAR\_TEMP\_000250. Although, that number does  
2 not appear on this document.

3 This document is titled "NorthStar Educational  
4 and Therapeutic Services Mental Health Collaboration  
5 2021-2022," correct?

6 A Yes.

7 Q Do you recognize this document?

8 A I do.

9 Q It then beneath lists agencies that actively  
10 collaborate with NorthStar, correct?

11 A Yes.

12 Q Let's go through each agency starting with WIN  
13 Georgia.

14 A Uh-huh.

15 Q What is WIN Georgia?

16 A So WIN Georgia is -- they do a lot of active  
17 case managements. When families have multiple agencies  
18 that are involved with them, that can be really  
19 overwhelming for the families, so they provide a case  
20 coordination. They provide, typically, a monthly team  
21 meeting where they pull all agencies together just to  
22 help coordinate services and make sure we've got goals  
23 and that we are all working together to help achieve  
24 those goals.

25 Q And does WIN Georgia provide services to each

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1 NorthStar location?

2 A Traditionally they have been most active in  
3 Dalton. Although, they are beginning to provide more  
4 coordination in Pickens County, a little less up in  
5 Fannin. I don't know if we've had any -- I think we've  
6 had one student in Fannin who had WIN Georgia services.

7 Q And outside of the team meetings and the other  
8 services that you provide, do they -- does WIN Georgia  
9 provide any other services to GNETS students?

10 A I think they are providing -- it's changed over  
11 the years. So I know one particular counselor who works  
12 with a number of our kiddos so that's doing some work  
13 with the families, so I think they are providing some  
14 direct service as well. But when they first started, it  
15 was mainly case management. And I think they are kind of  
16 trying to expand their services that they are providing.

17 Q Where are the services provided?

18 A Typically at the school, although we have had  
19 meetings in other locations. But typically we -- we  
20 invite them into the school and invite everybody, since  
21 we have space, you know, to have those meetings and to  
22 coordinate.

23 Q And is that done during school time?

24 A Depends on the families and when we can get  
25 folks together and those kind of things, but many times.

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1 Q So is it accurate to say that sometimes it's  
2 during the school day; sometimes it's after school?

3 A Correct.

4 Q Is it sometimes on the weekend or before  
5 school?

6 A Typically not on the weekends, just because a  
7 lot of -- most of the time it's during the week.

8 Q Okay. Is it before school ever?

9 A It could be, yeah.

10 Q How frequently does WIN Georgia provide  
11 services to GNETS students?

12 A I'm trying to figure out the best way to answer  
13 that for you. I'd say at any given point in time, maybe  
14 10 percent of our students are receiving that service,  
15 maybe.

16 Q And how frequently do they receive those  
17 services?

18 A It's totally based on the family and their  
19 needs, and sometimes they are in a -- working with that  
20 family multiple times a week. The case coordination  
21 meetings, of course, are less than that, but the  
22 intensity of their services depends on the student and  
23 the family.

24 Q So what -- what's the range?

25 A Like I said, we had one family I'm thinking of

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1 in particular where I think there was multiple contacts a  
2 week, down to another family where I think it was  
3 probably more like weekly, depending on the number of  
4 other agencies that are providing some of those services.

5 Q And what are the qualifications of the staff at  
6 WIN Georgia?

7 A I -- I mean, they have -- I really couldn't  
8 speak to that.

9 Q And how does a student start receiving services  
10 from WIN Georgia?

11 A There is a -- so sometimes that -- the way  
12 that's most often come about is we have something called  
13 a local interagency planning team. Sometimes families  
14 agree to present their case to the agency, and then  
15 agencies can pop up and say, hey, we could do this for  
16 you or we could support you in this way. And it just  
17 gives parents like an overview of all the services that  
18 are available in the county for helping to support them.  
19 And so a lot of times they might get assigned a meeting  
20 like that where, you know, they talk about what they can  
21 do and the family says, yeah, I think that will be  
22 helpful.

23 Beyond that, I'm assuming it's just people  
24 suggesting the service to them. Most of the time they  
25 have that service before they come to us, or somebody has

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1 talked to them about that potential service, and then  
2 they have gone through a process with them to get hooked  
3 up with that service.

4 Q Does NorthStar typically connect students with  
5 WIN Georgia?

6 A Occasionally we have. Like I said, a lot of  
7 times by the time they get to us, they have some of those  
8 services. But certainly if they don't, we frequently  
9 have families presented at LIPT.

10 Q So my understanding is that students can get  
11 connected either through their local interagency planning  
12 team or they come into NorthStar having previously been  
13 connected --

14 A Correct.

15 Q -- or NorthStar can connect them?

16 A Or they've heard it from -- you know, that  
17 that's a resource from DFCS or other counselors in the  
18 area, so they could really get hooked up in a lot of  
19 different ways with that service.

20 Q And you said currently it's about 10 percent of  
21 students at Pickens?

22 A I would say. I was kind of thinking more  
23 overall.

24 Q Okay. And so overall, that includes Pickens  
25 and Dalton?

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1 A Primarily, yes.

2 Q What is Highland Rivers?

3 A Highland Rivers is another agency that's in  
4 all -- all of our areas. They provide some online  
5 psychiatric appointments for students for medication  
6 management, as well as counseling services. I think at  
7 one point they were trying to develop, too, some lower  
8 level workers that could work with families on different  
9 kinds of issues. So I'm not sure of their full continuum  
10 of services at this point, but...

11 Q And does Highland Rivers provide these services  
12 to each of the different NorthStar locations?

13 A They do.

14 Q And where are these services provided?

15 A It could be in -- they each have -- Highland  
16 Rivers has offices, so oftentimes students receive their  
17 services there. Depending on the type of service, we  
18 always invite providers that they can receive those  
19 services on-site. It's just up to the provider and  
20 families to whether they want to receive it in an office  
21 or with us.

22 Q And you said that some of it is online  
23 psychiatric?

24 A Correct.

25 Q Do students ever access the online services

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1 from a NorthStar location?

2 A That hasn't happened typically. They usually  
3 go to the office for that. I think that's where their  
4 electronic coordination typically happens, so...

5 Q And you said that they are provided -- that  
6 Highland Rivers provides services to each of the  
7 NorthStar GNETS locations. Is that including all three  
8 of the Fannin locations?

9 A It is. Again, Fannin accesses that service a  
10 little bit less often. There is an Ellijay office, but  
11 we have a couple of -- a number of other providers, so  
12 they tend to go with the ones closer to home, if that  
13 makes sense.

14 Q And how frequently do NorthStar services  
15 receive Highland River services?

16 A It just, again, varies pretty dramatically. I  
17 will say that -- so, for instance, in Pickens County,  
18 they are one of -- especially for Medicaid-type services,  
19 they are one of the options that's most available to  
20 families, but families also prefer face-to-face  
21 sometimes. And so if they prefer face-to-face, a lot of  
22 them will find a doctor or a psychiatrist in Canton or  
23 other areas that they can go see if they, you know,  
24 prefer that mode of delivery of service.

25 Q Who provides the services at Highland Rivers?



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1 A Again, they have a variety of different staff.

2 Q What are their qualifications?

3 A I couldn't speak to that. You know, I know  
4 they have certified counselors and psychiatrists, and  
5 like for their -- what they call their CSI, their  
6 community support specialist or individuals, I don't know  
7 what their requirements are for those individuals.

8 Q How does a student start receiving services  
9 from Highland Rivers?

10 A There's a -- for all of these agencies, there's  
11 some kind of an intake process, you know, some kind of  
12 referral that needs to happen, and then the family goes  
13 and meets with them to establish appropriate services.

14 Q For the students at NorthStar who are currently  
15 receiving Highland Rivers services, how are those  
16 referrals typically made?

17 A So sometimes our staff assist with, you know,  
18 if the parent is interested in services like that. Like  
19 I said, sometimes it's happening from their doctors or  
20 their other counselors or those kind of things.  
21 Sometimes our social workers, even the county social  
22 workers have helped, you know, families access those type  
23 of resources, so...

24 Q And do they also ever have preexisting  
25 relationships with Highland Rivers?

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1 A Sometimes, yeah, sure.

2 Q And how many students at NorthStar currently  
3 receive services from Highland Rivers?

4 A I don't even think I could estimate that right  
5 now. I would really have to go check and see who is with  
6 who. Our students tend to move around service-wise, so  
7 it's sometimes hard to track how many we've got in play  
8 all at once.

9 Q What is Georgia HOPE?

10 A Georgia HOPE is another agency similar to  
11 Highland Rivers. They typically have more of what I  
12 would call a full continuum of offerings from counseling  
13 to psychiatric to community support workers and those  
14 kinds of things. They are probably one of our most  
15 active mental health providers in our -- in our region.

16 Q And does Georgia HOPE provide services at all  
17 NorthStar locations?

18 A They do. They will.

19 Q I'm sorry, you said that they will?

20 A Yes.

21 Q Do they currently?

22 A Most often, and again, in Jasper and Dalton,  
23 less often in Fannin.

24 Q Do they currently provide services at the  
25 Fannin locations?

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1 A They will. They've had a little bit of trouble  
2 maintaining staff, and so I think that's been a struggle.

3 Q When are you expecting these services to  
4 commence at Fannin?

5 A Again, I don't think I have any students  
6 currently accessing those services, and partly because we  
7 have so many other providers up there, that families  
8 access services through some of the other providers. So  
9 they are most active in Jasper and Dalton for sure.

10 Q Where are these services provided?

11 A Again, just depends on the kiddo. And so we've  
12 had, you know, the community support workers come to  
13 school and check in on kids. Certainly, counselors are  
14 welcome to do that as well. It just depends on, again,  
15 the family and the therapist kind of choice as to where  
16 they want to provide the services.

17 Q So you said it depends. Is it correct that  
18 sometimes they can come to one of the school locations  
19 and sometimes the students go to --

20 A I would say in most cases families have chosen  
21 one way that works for them best. So some parents say,  
22 you know, I'm just not going to be able to get them  
23 there, and either way I want it to happen at school; and  
24 other cases, you know, parents just say, I just prefer to  
25 take them and to do it within with the offices, so...

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1 Q Gotcha. But they do -- Georgia HOPE has their  
2 own offices, and some students and families choose --

3 A Correct.

4 Q -- to receive the services there?

5 A Correct.

6 Q And how frequently do students access Georgia  
7 HOPE services?

8 A So that can vary dramatically. So we have kids  
9 that have workers from -- that are kind of funded through  
10 some of the Georgia HOPE support services, and so  
11 sometimes that's a worker in the home pretty much daily,  
12 maybe, all the way down to, you know, CSIs meet with them  
13 so many times a week, to counselors meeting with them so  
14 many times a month, you know, so... But it's very  
15 individualized. They have their own case plan they work.

16 Q So is it correct to say that the range is from  
17 daily within the home to just a few times a month?

18 A Correct. Or maybe even for some of them  
19 once -- once a month if it's just med management or  
20 something.

21 Q And who provides these services at Georgia  
22 HOPE?

23 A So it would be the appropriate service  
24 provider, so psychiatrist, you know, for medication  
25 management, counselors for counseling services. More of

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1 the family workers or the case management workers, you  
2 know, for the CSI kind of work.

3 Q And what are the qualifications of those  
4 individuals?

5 A Again, I can't speak to that. I do believe  
6 they're -- they're qualified licensed clinical therapists  
7 that do that work. But for their CSIs and things, I  
8 don't know their exact qualifications.

9 Q And how does a student start receiving services  
10 from Georgia HOPE?

11 A There's again a referral process.

12 Q And those referrals can come from outside of  
13 NorthStar or inside of NorthStar?

14 A Yep. LIPTs, all the same things we talked  
15 about before.

16 Q And do any of your students have preexisting  
17 relationships with Georgia HOPE before they got to  
18 NorthStar?

19 A Yes.

20 Q And do you have a sense of how many NorthStar  
21 students currently receive services from Georgia HOPE?

22 A I would guess with Georgia HOPE it's higher, so  
23 we're probably in the 20, 25 percent range.

24 Q What is Family Members?

25 A That is an IFI-level service provider, so

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1 intensive family -- family preservation-type support.

2 Q That's what IFI stands for?

3 A Yeah. And again, you're going to ask me what  
4 that stands for, but it's the highest level of support  
5 agencies. So both ProFamily and Family Members, that  
6 type of organization.

7 Q What services does Family Members provide?

8 A So again, they can provide the full continuum  
9 of -- of services, up to workers in the home to help  
10 support and do parent training or student support or what  
11 needs, all the way to counseling and medication  
12 management and all of those services.

13 Q And does it provide these services to students  
14 at all of the NorthStar locations?

15 A Those two are primarily Dalton.

16 Q Okay. And where are these services provided?

17 A Again, typically -- so I mentioned there's been  
18 some discussion with ProFamily about having the worker at  
19 the school, but that's not yet been established, so  
20 typically that's been within their offices within the  
21 family home. Their workers have come on-site for  
22 different activities, but traditionally it's through  
23 their agencies.

24 Q How frequently do students at NorthStar receive  
25 services from Family Members?

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1 A It's a smaller percentage that are at that kind  
2 of crisis stage. Maybe -- and again, it's primarily my  
3 Dalton site, so probably 3 to 5 percent of the kiddos are  
4 at that level.

5 Q And how frequently do the 3 to 5 percent of  
6 students receive services?

7 A So with those agencies, it's more intensive.  
8 So, you know, they would be getting weekly types of  
9 services, probably multiple times a week for some kiddos.

10 Q And who provides those services?

11 A The agency involved.

12 Q And what are the qualifications of the staff or  
13 the agency?

14 A Again, I wouldn't have that information.

15 Q And how does a student start receiving services  
16 from Family Members?

17 A There's a referral process as well.

18 Q And am I correct that can come from both  
19 outside and inside NorthStar?

20 A Yes.

21 Q And do students ever come to NorthStar with  
22 preexisting relationships with Family Members?

23 A Yes.

24 Q You've already answered this a little bit, but  
25 what is ProFamily?

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1 A So very similar to Family Members and most all  
2 the questions that we discussed.

3 Q So they provide --

4 A They're just another provider that provides  
5 that same level of service with similar kinds of ranges  
6 of services.

7 Q Gotcha. So they provide the full continuum of  
8 services?

9 A Yes.

10 Q And do they provide services to each of the  
11 NorthStar locations or just Dalton?

12 A Just Dalton.

13 Q And these services can be -- are they also  
14 often provided outside of school?

15 A Yes.

16 Q And is it similar, 3 to 5 percent of students  
17 participating with ProFamily?

18 A I'm glad you -- so just to clarify, I was  
19 thinking we would probably have 3 to 5 percent of  
20 students that are at that level. ProFamily is the  
21 most -- the one that the most students at that level  
22 coordinate with.

23 We've had only a handful. Family Members is a  
24 newer organization, and so we've only had a handful of  
25 kids that have worked with that organization.



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1 Q Okay.

2 A So that 3 to 5 percent is probably encompassing  
3 of both organizations.

4 Q And do you know the qualifications of the  
5 people who provide the services for ProFamily?

6 A I know they have psychiatrists, clinically --  
7 clinically certified and trained counselors, and the --  
8 with the workers, I'm not sure of their requirements.

9 Q And do students start receiving services  
10 similarly through a referral process?

11 A Uh-huh.

12 Q Sorry, is that a yes?

13 A Yes. Sorry.

14 Q And do some NorthStar students have preexisting  
15 relationships with ProFamily?

16 A Yes.

17 Q And do those referrals come from both inside  
18 and outside of NorthStar?

19 A Yes.

20 Q What is Blue Ridge Psychological?

21 A So that is one of the most frequently accessed  
22 agencies that provides psychiatric and counseling support  
23 in the Blue Ridge area.

24 Q What services does it provide?

25 A So they do kind of coordinate with a

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1 psychiatric service provider, as well as they do direct  
2 counseling with many of our students.

3 Q And where are these services provided?

4 A They are provided within their agency.

5 Q So off -- not on school campuses?

6 A Not typically.

7 Q And does Blue Ridge Psychological serve each of  
8 the different NorthStar locations?

9 A Fannin County primarily. I might have had one  
10 or two Pickens -- Pickens County students go up there,  
11 but primarily it's Fannin County.

12 Q And does it provide --

13 A And Gilmer. Sorry.

14 Q So does it provide services to all three of the  
15 Fannin County locations?

16 A Yes.

17 Q And how frequently are these services provided?

18 A Depends on the individual student.

19 Q What's the range?

20 A So I would say typically they are doing either  
21 weekly or bimonthly or monthly.

22 Q And who provides these services?

23 A So again, psychiatric, med management. It's  
24 the psychiatrist, counseling. It's their licensed  
25 counselors.

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1 Q And what are their qualifications?

2 A I know they are licensed clinical counselors.  
3 I don't know each of them and their backgrounds. I know  
4 they have some licensed professional counselors. At one  
5 point they had a social worker that was a licensed  
6 clinical social worker. I don't know if they currently  
7 have one of those on board, so...

8 Q And how does a student start receiving services  
9 from Blue Ridge Psychological?

10 A Again, they have an intake process.

11 Q Does NorthStar connect students with Blue Ridge  
12 Psychological?

13 A Often.

14 Q So referrals can come from both inside and  
15 outside of NorthStar?

16 A Yes.

17 Q And has any NorthStar student had a preexisting  
18 relationship with Blue Ridge Psychological before getting  
19 to NorthStar?

20 A Yes.

21 Q And how many students currently receive Blue  
22 Ridge Psychological services?

23 A Of my Fannin County students or my students  
24 served at the Fannin County site, we probably have -- do  
25 the math -- maybe 10 percent right now.

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1 Q And you said "maybe." Are any other students  
2 served at Pickens or Dalton?

3 A So ask the question again.

4 Q I believe you said that maybe Blue Ridge  
5 Psychological also provides services to one student at --  
6 is it Pickens or Dalton?

7 A For Gilmer County.

8 Q For Gilmer.

9 A So my Gilmer County students are served in  
10 Fannin, so I have had a couple of families access  
11 psychological services there.

12 Q Sounds good.

13 So does the 10 percent for Fannin include  
14 Fannin and Gilmer?

15 A Yes.

16 Q Okay. What is Pickens and Blue Ridge LIPT  
17 Committees?

18 A So that's the local interagency planning team I  
19 referred to earlier.

20 Q And what services does it provide?

21 A So again, it's -- the purpose of that meeting  
22 is to get all the resources at one table so parents know  
23 what agencies can do, and they can begin to decide if  
24 there are services they could take advantage of that  
25 maybe they weren't aware of previously.

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1 Q And who sits on this team?

2 A So usually each agency sends a representative.  
3 Juvenile Justice is usually involved in those meetings.  
4 Often DFCS workers are involved in that meeting, or they  
5 have a representative there, I should say. School  
6 systems usually send one of their social workers or  
7 clinical staff. And again, my coordinators or I often  
8 are at those meetings as well.

9 Q Can you share what the acronym DFCS means?

10 A Department of Family and Children Services.

11 Q And you said that usually each agency sends a  
12 representative. I know you listed Juvenile Justice and  
13 DFCS. What other agencies are you referencing?

14 A So it would be the ones we, you know, have been  
15 discussing, so often those agencies or any other agencies  
16 that might be appropriate or relevant.

17 Q So someone from WIN Georgia or Highland Rivers  
18 or --

19 A Yes.

20 Q -- Georgia HOPE might be present to share that  
21 they have services that are available?

22 A Exactly.

23 Q And do all of the students at -- or sorry, do  
24 all of the NorthStar locations receive services from  
25 Pickens and Blue Ridge LIPT committees?

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1           A    So each region has their own. So Dalton has an  
2   LIPT committee that meets; Pickens County has an LIPT  
3   committee that meets, and then there is also one that  
4   meets here that serves Fannin and Gilmer.

5           Q    Does DBHDD participate in the LIPT committee?

6           A    They have. They don't always, but on  
7   particular cases they have been involved in those.

8           Q    And do you know what a CSB or a community  
9   service board is?

10          A    Broadly.

11          Q    Do you know whether they participate in the  
12   LIPT committees?

13          A    I don't recall a representative being there,  
14   but...

15          Q    Okay. And so do all students participate in  
16   these LIPT committees?

17          A    It's -- it's voluntary. The parent has to  
18   agree to have their case presented.

19          Q    Okay.

20          A    So there's an application process that parents  
21   have to fill out and agree to, but it's mainly that they  
22   are agreeing to go through the process.

23          Q    And does NorthStar facilitate that application  
24   and process?

25          A    Many times.

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1 Q You said "many times." So if they aren't the  
2 facilitator, who is?

3 A Again, it could be a counselor. It could be  
4 one of the agencies that are recommending it. It could  
5 be a school social worker or a psychologist. So it could  
6 come from any level.

7 Q Is NorthStar always involved? So, for example,  
8 if a student is connected with WIN Georgia and WIN  
9 Georgia wants to suggest them for an LIPT committee,  
10 would NorthStar necessarily know about it?

11 A Generally, the committee members tend to be  
12 pretty stable. So for -- you know, we'll -- they'll  
13 schedule LIPT for one day, and there may be eight kids  
14 that get presented. Some of those are local school kids.  
15 Some of those are students we might be serving. Some of  
16 those are, you know, kids from different sundry places.

17 So, you know, sometimes we're there for the  
18 case presentation on a kid, where our expertise in some  
19 way might be kind of helpful. We don't always stay for  
20 every presentation, but -- and that tends to be the same  
21 for most of the agencies. They kind of stay for most of  
22 the kids that are presented that day.

23 Q And do students who aren't involved with  
24 NorthStar, are they eligible for LIPT committees?

25 A Yeah, it's general.

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1 Q Okay. So a student who is not part of GNETS  
2 might get referred to and have their case presented?

3 A Absolutely.

4 Q And then those students would have access to  
5 the different agencies that have presented their  
6 services?

7 A Certainly.

8 Q How many students at NorthStar have had -- have  
9 gone through the Pickens and Blue Ridge LIPT committee?

10 A Over the years?

11 Q Or I guess maybe easier, what percentage of  
12 students?

13 A Again, I think 25 percent of kiddos, maybe.

14 Q Okay. And what does "various doctors and  
15 pediatricians in the area on medication management  
16 issues" mean?

17 A So a lot of our students receive medication  
18 sometimes just from their family pediatrician or  
19 different psychiatrists that are in the area and that  
20 kind of thing or in the various sundry areas. And so  
21 each of my sites, you know, there -- there are different  
22 physicians that provide those, and we just didn't list  
23 them all on this particular document.

24 Q And are there particular doctors and  
25 pediatricians with whom NorthStar collaborates?



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1           A    I mean, there is ones who service a number of  
2   our students. So like we talked about, Blue Ridge  
3   Psychological provides a lot of our psychiatric services  
4   in the Fannin County area, and they do a lot of the med  
5   management. But we do have a number of pediatricians  
6   that provide those services as well.

7                   Lisa Stevens over in the Dalton area for a long  
8   time was one of the main psychiatrists in that area, so  
9   for a long time she was one of our primary psychiatrists  
10   that we had a number of kids that receives services from  
11   her. Again, as things have gone a little bit more  
12   virtual, there's a little more variety now. And she's  
13   older now, so some other people have kind of popped up,  
14   so we have a little more variety now, but...

15          Q   And does NorthStar refer students to these  
16   physicians?

17          A   We don't make direct referrals, so what we  
18   would do is hook them up with the agencies and let them  
19   kind of make their choice as to what they think the most  
20   appropriate agency is to provide that service for them.

21          Q   Let's look back to what the court reporter  
22   marked as Plaintiff's Exhibit 848, which is the grant  
23   application.

24          A   Okay.

25          Q   The FY 2022 grant application. And this is

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1 temporary Bates number NORTHSTAR\_TEMP\_000046. Although,  
2 that is not located on the document.

3 And let's turn to page 14.

4 A "Mental Health"?

5 Q Yes. Back to where it says, "Service  
6 Delivery - Mental Health Collaboration."

7 A Okay.

8 MS. CHEVRIER: And actually, this can be an  
9 okay time to break.

10 THE VIDEOGRAPHER: Going off the video record  
11 at 2:49 p.m.

12 (The deposition was at recess from 2:49 p.m. to  
13 2:55 p.m.)

14 THE VIDEOGRAPHER: We are back on the video  
15 record at 2:55 p.m.

16 Proceed.

17 Q BY MS. CHEVRIER: We're looking back at the  
18 grant report for FY 2022 where it says "Service  
19 Delivery - Mental Health Collaboration" in the middle of  
20 the page, correct?

21 A Yes.

22 Q And do you agree that there is a space provided  
23 where community agencies NorthStar works with are filled  
24 in?

25 A Yes.

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1 Q And you said before that DFCS stands for  
2 Department of Family and Children Services, correct?

3 A Yes.

4 Q And do you see that DFCS is listed here in  
5 this?

6 A Uh-huh. Yes.

7 Q What services does it provide?

8 A So we listed them just because they are  
9 involved with some of our families. So typically they  
10 might be on-site to do check-ins with a student or to  
11 interview a student for whatever reason, so they are  
12 sometimes one of the providers that is on-site.

13 Q And am I correct that, you know, this -- that  
14 DFCS does not necessarily service all locations; it's  
15 student specific?

16 A It is student specific, but certainly we have  
17 had DFCS at all of our sites at different points in time.

18 Q And where are DFCS services provided?

19 A Generally they are provided off-site, but like  
20 I said, they have on occasion come to the schools for  
21 different purposes.

22 Q And has NorthStar ever referred someone to -- a  
23 student to DFCS?

24 A We are mandated reporters, so we had to make  
25 mandated reporter reports.

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1 Q Do you see below where it says four mental  
2 health or community agencies visited your site?

3 A Uh-huh.

4 Q Which ones visited?

5 A I would have to look back at specific logs  
6 where I pulled that information from. It would be of the  
7 agencies listed above.

8 Q So is it correct to say that during FY 2022,  
9 not all of the agencies that we just discussed visited  
10 on-site?

11 A Right. So some of them were providing services  
12 off-site and don't physically come to the school.

13 Q And do you see where it says 26 students  
14 received services from an external agency?

15 A Correct.

16 Q Are these the same external agencies that we've  
17 been discussing?

18 A Correct.

19 Q And by "agency," we are not just talking about  
20 like DFCS; we are also talking about, you know, WIN  
21 Georgia, et cetera?

22 A Definitely. So that would be anybody providing  
23 counseling, medication management, any of those kinds of  
24 services.

25 Q But we're not necessarily talking about State

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1 agencies?

2 A Correct.

3 Q And do you see where it says that four students  
4 received counseling?

5 A Yes.

6 Q Do you agree with this number?

7 A So counseling on-site, so where they came to do  
8 their counseling services within a GNETS building.

9 Q Okay. So all of the other students who receive  
10 service -- counseling services --

11 A Could have been off-site.

12 Q It would have been off-site.

13 And is four a similar number to how many  
14 students are receiving counseling on-site this school  
15 year?

16 A I would actually have to double-check that to  
17 see if we've got any counselors -- you know, any  
18 counselors coming to the school to provide that service.

19 Q Okay. Do you see where it says one student  
20 received an interview?

21 A Right.

22 Q What is an interview?

23 A Likely that was DFCS coming to interview a  
24 student.

25 Q Okay. And do you agree with that number?

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1           A    I have no reason to believe it wouldn't be  
2 accurate.

3           Q    And the interview listed here would have taken  
4 place at a NorthStar location?

5           A    Correct.

6           Q    And is that a similar number for how many  
7 students have received interviews this school year?

8           A    It wouldn't be more than two, probably.

9           Q    And now this is -- partially on this page,  
10 partially on the next page, do you see where it says  
11 three students received check-ins?

12          A    Correct.

13          Q    What is meant by check-ins?

14          A    So it's not like a full counseling session, but  
15 that might be a community service worker coming in and  
16 just touching base, getting a report from the teacher of  
17 how the kid is doing in school, just checking in with the  
18 student about any of the issues they were working with  
19 the student on. So it's not full counseling but it's,  
20 you know, following up and seeing how the student is  
21 doing.

22          Q    And all of these three students, it would  
23 have -- this check-in would have occurred at a NorthStar  
24 location?

25          A    Yes.

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1 Q And is that about how many students have  
2 received check-ins this school year?

3 A Again, I would have to check our current logs.  
4 I haven't checked those recently to see how many CSIs  
5 have visited each facility, so...

6 Q Do you see where it says 48 med management?

7 A Uh-huh.

8 Q Does this indicate that 48 students received  
9 medication management?

10 A Yes.

11 Q So does that mean that 48 students have some  
12 sort of medication?

13 A Correct.

14 Q Okay. And so there aren't any students who  
15 receive psychiatric medication that wouldn't be  
16 encompassed by this 48 number?

17 A No, it should be inclusive. I'm trying to  
18 think of any exceptions, but I really can't think of any.

19 Q When students are referred by NorthStar to an  
20 outside provider, are there ever delays or wait lists?

21 A Certainly.

22 Q And why is that?

23 A I think most often in our areas it's -- it's  
24 those agency's staffing turnover, those kind of  
25 situations most often.

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1 Q And have there been any steps to improve  
2 delays?

3 A They have worked -- especially in the Jasper  
4 and the Blue Ridge area, they have been trying to  
5 increase their services in those areas, but like I said,  
6 they've -- it's been a little bit of a challenge.

7 Q Are there students who would benefit from more  
8 time than is available with a service provider?

9 A I'm sure that -- that some students certainly  
10 could.

11 Q Do any students at NorthStar have unmet  
12 therapeutic needs?

13 A I would say yes. Sometimes that's due to  
14 families not fully accessing services that are available.  
15 You know, certainly sometimes those agencies have some  
16 funding issues that interfere with, you know, some of  
17 that availability and those kind of things. I'm thinking  
18 specifically family workers and respite and all of those  
19 types of services, and then it's hard for those agencies  
20 to staff for people like that, so there are some barriers  
21 for sure.

22 MS. CHEVRIER: I'd like the court reporter to  
23 please mark this exhibit as Plaintiff's Exhibit 857.

24 (Plaintiff's Exhibit 857 was marked for  
25 identification.)



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1 Q BY MS. CHEVRIER: This is an e-mail from you,  
2 Dr. Neal, to Nakeba Rahming dated May 25th, 2017,  
3 correct?

4 A Uh-huh.

5 Q And the Bates number is GA00787553. This  
6 e-mail has an attachment titled "FY18 Budget Proposal  
7 Notes," correct?

8 A Correct.

9 Q Do you recognize this e-mail?

10 A I do.

11 Q Do you see where you thank Nakeba Rahming for  
12 visiting NorthStar?

13 A Yes.

14 Q Why did she visit?

15 A I'm trying to remember what the purpose of  
16 this --

17 MR. BEDARD: Object to the form.

18 THE WITNESS: -- one was.

19 I think it was -- honestly, I think it was when  
20 she first came on board she was just visiting each of the  
21 GNETS locations. I don't know if there was a direct  
22 purpose other than for her to increase her familiarity  
23 within that work and each of the GNETS programs in our  
24 special challenges and needs.

25 Q BY MS. CHEVRIER: And how frequently did

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1 Ms. Rahming or someone else from GaDOE visit NorthStar?

2 A We've had folks out on two or three occasions  
3 as I've been director.

4 Q And do you see where you acknowledged her  
5 "offer of assistance with therapeutic programming"?

6 A Yes.

7 Q What were you referring to there?

8 A Let me read to make sure I'm not making  
9 something up here.

10 I think that might have been a response to the  
11 therapeutic grant we've been discussing.

12 Q You wrote that you were "attaching some basic  
13 talking points I used when approaching the issue with my  
14 LEA's their ultimate responsibility for maintaining the  
15 continuum with their students. I did use the language in  
16 the new rule to emphasize the requirement of GNETS  
17 maintaining therapeutic supports," correct?

18 A Yes.

19 Q To what new rule were you referring?

20 A So the GNETS rule was revised. I don't think  
21 you have the most current version of that, but that had  
22 just at this point I think come out.

23 Q And so that was the rule that you were  
24 referring to?

25 A Yes.

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1 Q And had you been directed to refer to the new  
2 GNETS rule?

3 A We obviously knew that we were under the new  
4 GNETS rule, so I guess at some level that's -- we knew we  
5 were directed.

6 Q Why did you need to communicate with the LEAs  
7 about their responsibility for maintaining the continuum  
8 of services for their students?

9 A So again, this was at that point where we were  
10 moving from voluntary contributions to proportional  
11 contributions, and so I utilized the GNETS rule to help  
12 educate my board as to the State's perspective on their  
13 responsibilities in regards to helping to provide moneys  
14 to support therapeutic services where the grant fell  
15 short.

16 Q And let's turn to the attachment. It's on the  
17 next page. Is it correct that these are your talking  
18 points?

19 A Yes.

20 Q Do you see the bullet point that starts with  
21 "While" about halfway down?

22 A Yes.

23 Q Do you see where you wrote, "While we continue  
24 to evaluate our staffing, sufficient cuts are not  
25 possible to maintain a safe program and one that can

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1 address both behavioral and academic needs of students"?

2 A Yes.

3 Q What did you mean by this?

4 A Meaning that just, again, bottom line, with not  
5 every LEA contributing, when we would come up with our  
6 staffing expenses and our operational expenses and what  
7 was going to be required to provide services for kids,  
8 the State grant and the federal funds we were receiving  
9 and the voluntary contributions were not sufficient to  
10 cover the expenses for the program.

11 Q Had you at any time prior to this e-mail had  
12 concerns about maintaining a safe program?

13 A As I would say, it was a future planning  
14 concern, you know, that I knew that if we didn't get the  
15 budget situation turned around, that we would start to  
16 have those kinds of issues.

17 Q And have you at any time since this e-mail had  
18 concerns about maintaining a safe program?

19 A No. My counties have been fabulous about  
20 stepping up to the plate and filling in those gaps, so I  
21 have been very lucky.

22 Q Had you at any time prior to this e-mail felt  
23 that NorthStar could not address the behavioral needs of  
24 students?

25 A Ask that question again.

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1 Q Had you at any time prior to this e-mail felt  
2 that NorthStar could not address the behavioral needs of  
3 students?

4 A So certainly we're always anxious to work with  
5 all our Wraparound service providers to meet all those  
6 needs because some of them are not school-based needs,  
7 and so our efforts and concerns have been around  
8 collaborating effectively with all our other service  
9 agencies to make sure all the families' needs are met.

10 Q And have you at any time since this e-mail felt  
11 that NorthStar could not address the behavioral needs of  
12 students?

13 A No. I have a fabulous staff, and I think they  
14 work extremely hard to meet the needs of our students.

15 Q Had you at any time prior to this e-mail felt  
16 that NorthStar could not address the academic needs of  
17 students?

18 A Again, I get great support from my counties and  
19 from our districts in terms of being able to work with my  
20 teachers on the very difficult task of kind of  
21 individualizing instruction for every student in our  
22 program, so...

23 Q And have you at any time since this e-mail felt  
24 NorthStar could not address the academic needs of  
25 students?

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1 A No.

2 Q Do you see the sub-bullet point where you  
3 wrote, "The State DOE has been clear this year that LEAs  
4 must provide the full continuum of services. This  
5 includes resource/self-contained options with quality  
6 FBA/BIP interventions and provision of therapeutic  
7 services prior to a GNETS referral"?

8 A Uh-huh.

9 Q What did you mean by "the State DOE has been  
10 clear this year"?

11 A So I think just prior to that, the  
12 consideration of services, guidance came out that very  
13 clearly laid that out, as well as some of that's in the  
14 State grant, as well, or the State rule, and so that's  
15 what I was referencing there.

16 Q And had GaDOE not focused on the need for LEAs  
17 to provide a continuum of services in previous years?

18 A I would say there's just -- there just was a  
19 renewed clarification. I think at that point there was  
20 some LEAs that didn't fully recognize -- mine were fairly  
21 good, but I think across the state there were some LEAs  
22 that recognized all their responsibilities in that  
23 regard.

24 Q And how had the State made the renewed  
25 clarifications about the need for a full continuum of

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1 services?

2 A So partly through the -- well, in regards to  
3 things that needed to occur before GNETS consideration,  
4 that was through the State rule primarily, and it was an  
5 introduction they -- through the committee that created  
6 the packet for consideration of services, there was a  
7 flowchart guidance document for counties to use to make  
8 sure they had accomplished all the things they needed to  
9 prior to referral, so there was a number of documents  
10 that flowed out at that time to help provide  
11 clarification.

12 Q At the time you wrote this e-mail, did you have  
13 concerns about LEAs providing continuum of services  
14 before making a GNETS referral?

15 A So I would say at this point just the level of  
16 functional behavioral assessment at that time, it was a  
17 little bit variable. They did a great job of kind of  
18 getting that shored up in a fairly quick order, partly  
19 because the State DOE again pushed out some training from  
20 Georgia State University so a lot of my counties could  
21 get on board with providing higher-quality data-based,  
22 functional-based assessments.

23 And then I guess the -- the other part that  
24 some of my smaller counties had to kind of work on a  
25 little bit was in terms of having small group options for

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1 all kids.

2 Q Do you have any concerns about this currently?

3 A They have done a great job of addressing those  
4 issues.

5 Q And you mentioned that you had less concerns  
6 about your counties that you work with but that you are  
7 aware of concerns elsewhere?

8 A I have heard other people express concerns in  
9 some of the other areas. I will say that -- I'll just --  
10 yeah, that -- that answers the question, I think.

11 Q What were you going to say?

12 A Well, I was just thinking more globally  
13 about -- about the question. So I think one of the  
14 struggles for some of my counties has been, you know,  
15 that there is a full inclusion kind of bias in some of  
16 the schools, and so sometimes that results in not having  
17 a small group option, and so that's one of the things  
18 special directors -- special education directors have had  
19 to work with, is kind of that regular education focus on  
20 full inclusion but also having the full continuum for  
21 kids, so...

22 Q And I think you partially answered this, but at  
23 the time you wrote this e-mail, did you have concerns  
24 about the LEAs providing quality FBA and BIPs in place  
25 prior to a GNETS referral?



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1           A    Yeah, so they were providing some of those.  
2   Occasionally I would get a referral where that hadn't --  
3   that step hadn't been done, but this guidance was helpful  
4   in terms of -- as well as the training, in helping  
5   getting that situation shored up.

6           Q    And do you currently have any concerns about  
7   the quality of FBAs and BIPs in place prior to a GNETS  
8   referral?

9           A    Generally -- generally they -- they are pretty  
10   good. Just on occasion I might -- and it comes through  
11   more when they think a kid's in crisis, I might get one  
12   that's a little less. It wouldn't be the highest quality  
13   FBA and those kind of things, but most of the time I can  
14   push that back to the director and ask for additional  
15   data and they will get that shored up, so...

16          Q    And how would, if at all, does NorthStar assess  
17   whether or not a BIP is being implemented for a student  
18   who is referred to GNETS?

19          A    So that usually happens in coordination between  
20   me and the special education staff. So one of the things  
21   I request they do is to -- before talking to me, is that  
22   they've been in the classroom and monitoring, you know,  
23   if the BIPs been implemented. And if they feel like  
24   there's been quality implementation of those  
25   evidence-based practices for that particular student,

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1 then I will come in, do an observation, again, check to  
2 make sure those things are in place, but it's done  
3 primarily through observation.

4 Q And you said when you work with special  
5 education staff, is that special education staff at the  
6 LEA?

7 A Correct. So it's usually the special education  
8 director, or sometimes they have kind of coordinator-type  
9 people that work with them that can provide that. Some  
10 of them even have the behavior specialist who can go in  
11 and do that kind of work as well.

12 Q Do you see where you wrote, "The State DOE has  
13 also been emphasizing the continuum of services and that  
14 GNETS must have the most intensive services. Therefore,  
15 it is no longer an option for us not to provide  
16 therapeutic services to balance the budget"?

17 A Correct.

18 Q Had you in the past not provided therapeutic  
19 services at NorthStar in order to balance the budget?

20 A So that was the situation where I spoke of  
21 where for a year or two I had to cut all my therapeutic  
22 staff to balance my budget.

23 Q What years were those?

24 A So that would have been right when I first came  
25 in, so probably '14, '15, I'm assuming, somewhere in

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1 there.

2 Q And have you ever, since that time period, had  
3 to cut any therapeutic services due to budget?

4 A No. Kind of after we initiated -- and I guess  
5 it could have been up to this point -- the new budget  
6 process we were able to restore those positions.

7 Q And this e-mail was in 2017?

8 A Yeah.

9 Q So it is -- did you just say it was possible  
10 that the effect on therapeutic services due to the budget  
11 could have been continuing until 2017?

12 A Obviously, because this was the year I was  
13 proposing the new budget formula. So -- and again, the  
14 first year, I don't think I eliminated all the staff. It  
15 was the second year I had to go in and to balance the  
16 budget and take all the therapeutic staff out.

17 Q So how many years would you say there was a  
18 limiting but not removal of therapeutic staff?

19 A It was at least a couple of years.

20 Q And then in addition there were years where the  
21 therapeutic staff was eliminated?

22 A So repeat your question again, because I want  
23 to make sure I answered you correctly.

24 Q Sure. So you said that -- it sounded to me  
25 like you were saying that there was, you know, a drop-off

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1 point that, you know, the --

2 A Correct.

3 Q -- staff was decreasing, and then there was the  
4 period of time where you were without the therapeutic  
5 staff?

6 A Correct.

7 Q So I'm trying to get a sense of how many years  
8 covered the time frame when they were -- when the  
9 therapeutic staff was decreasing and how many years  
10 covered the period during which there was no therapeutic  
11 staff.

12 A So at least a two-year period where we had --  
13 we were just trying to use outside therapeutic services,  
14 and we had to eliminate all of our staff.

15 Q Okay. And how -- so does that two-year time  
16 frame encompass both the decreasing staff and the no  
17 staff?

18 A No. There was probably a year prior to that  
19 where, you know, I had a couple of people resign, and I  
20 didn't fill positions and that kind of situation.

21 Q Thank you.

22 Do you see where you wrote, "We must meet the  
23 State requirements for therapeutic staff"?

24 A Uh-huh.

25 Q What are the State's requirements for

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1 therapeutic staff?

2 A So again, there's ratios that are provided  
3 from -- from the State so many social workers per number  
4 of kids, so many psychologists per number of kids, those  
5 kind of things.

6 Q So previously when we discussed that, we  
7 discussed it in terms of guidance.

8 A Uh-huh.

9 Q Is it guidance or a requirement?

10 A At this point -- and again, this was all being  
11 kind of -- we were running this alongside the -- the new  
12 GNETS rule, but from the basic idea that kids with the  
13 most restrictive level of services needed to have  
14 consistent therapeutic services. The -- the guidance  
15 helped give us guidelines in terms of how many of those  
16 types of positions we should have program-wide.

17 One of our struggles, because we're a large  
18 region and because our staff is all spread out, sometimes  
19 it takes even a little bit higher level of therapeutic  
20 staffing beyond even what the GNETS, you know, guidance  
21 is or the GaDOE guidance is on the issue to have adequate  
22 supports in all our different areas, too. So it came  
23 down to two discussions around, you know, if we're gonna  
24 provide group counseling and individual counseling at  
25 these frequencies, this is the level of staffing that

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1 we're gonna require.

2 Q Do you see where you wrote, "Even when we meet  
3 the overall State requirements, this sometimes leaves  
4 regions short staffed. For example, in our Blue Ridge  
5 program, the only support is provided by the regional  
6 director"?

7 A Correct.

8 Q What did you mean by "this sometimes leaves  
9 regions short staffed"?

10 A Exactly what I was just kind of referring to,  
11 that even though in that location I only serve 20 kiddos  
12 on most years, and at 20 kids I would never earn a social  
13 worker; I would never earn a psychologist, that they  
14 still need those services.

15 Q Right.

16 A So even if we're technically going by the  
17 guidance, we still needed more than that, and that, you  
18 know, we needed locals to kind of step up to help provide  
19 those services.

20 Q And just for the record, which is the Blue  
21 Ridge program?

22 A Fannin County.

23 Q Fannin?

24 A Yeah.

25 Q And what did you mean by -- what did you mean

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1 when you said that the Blue Ridge program is only  
2 supported by the regional director?

3 A So at that particular point I was the -- we had  
4 teachers and para pros in the classroom, and I was  
5 providing all the other supports.

6 Q Are you familiar with PBIS?

7 A I am.

8 Q What does PBIS stand for?

9 A Positive Behavior Interventions and Supports.

10 Q And does NorthStar use the PBIS framework?

11 A We do in our centers, and then at our Fannin  
12 school sites we kind of tag on to their school-based  
13 initiatives.

14 Q At -- so at the NorthStar school-based  
15 locations you use whatever PBIS system is in place at  
16 those schools?

17 A Correct. We usually add some extra features in  
18 just for intensity purposes for our sake. But in terms  
19 of their values and those kind of things so our kids feel  
20 part of the school, we use, you know, Rebel bucks or  
21 whatever they are using for their --

22 THE REPORTER: Use what?

23 THE WITNESS: -- their tokens.

24 A Rebel buck or the Rebels is their mascot,  
25 so...

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1 Q BY MS. CHEVRIER: And are NorthStar students at  
2 the Fannin locations able to participate in things like  
3 pep -- PBIS pep rallies?

4 A I don't know of any of my schools that are  
5 doing PBIS pep rallies.

6 Q Okay.

7 A Some of them have monthly activities, and our  
8 students do participate in those.

9 Q And when the students participate in monthly  
10 PBIS activities, are they able to participate with gen ed  
11 nondisabled peers?

12 A Uh-huh.

13 Q Sorry, is that yes?

14 A Yes. Sorry.

15 Q Was NorthStar required to adopt PBIS -- the  
16 PBIS framework?

17 A No. Well, it was encouraged.

18 Q Encouraged by who?

19 A Just in general, the State had an initiative to  
20 try to expand the use of positive behavior and  
21 intervention supports across the state, and so certainly  
22 they wanted us, you know, to be included in that as  
23 special, and we had counties participating and...

24 Q And by "State" you mean GaDOE?

25 A Yes.



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1 Q And what, if any, support did you receive from  
2 GaDOE regarding PBIS?

3 A So as I indicated before, we have  
4 representatives, both through the RESA, as well as people  
5 like Sandy DeMuth and folks from that department who  
6 provide, you know, training or support in terms of  
7 keeping us updated on if there are trainings going on,  
8 any resources the State has in regards to that, and like  
9 they train our district coordinators and those kinds of  
10 things.

11 Q Do you know what Sandy DeMuth's title is?

12 A No.

13 Q Is it your understanding she works with GNETS  
14 programs?

15 A Yes, she has traditionally.

16 Q Do you have to submit any PBIS information to  
17 GaDOE in addition to the grant application we're  
18 reviewing?

19 A Yeah. There's a process statewide for  
20 reporting kind of assessment information and kind of  
21 program fidelity.

22 Q And that's submitted to GaDOE?

23 A Uh-huh.

24 Q And is that reporting required by GaDOE?

25 A No. It's essentially the State comes out with

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1 a list of programs and where they are at, and if you want  
2 to be on the list, you can submit the form.

3 Q How long has PBIS been in place at NorthStar?

4 A Since I have been here.

5 Q So the introduction of PBIS at NorthStar  
6 occurred before you were director?

7 A Yeah. I think they went through the team  
8 training maybe a year or two before I became director.

9 Q Do you know at what level of implementation  
10 NorthStar is at?

11 A We -- we tend to be in the first or second  
12 category.

13 Q And by -- those categories are installing,  
14 emerging, operational, and distinguished?

15 A Right.

16 Q So it's correct that NorthStar is typically an  
17 installing or emerging?

18 A Correct.

19 Q And what tiers of services do you currently  
20 provide at NorthStar?

21 A So Tier I, obviously in terms of PBIS you are  
22 talking? Yes, all the Tier I services. We do a lot of  
23 the Tier II kinds of interventions for sure because all  
24 of our classrooms maintain the classroom  
25 motivational-level types of interventions, but I'd say

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1 primary Tier I and Tier II.

2 Q And are you familiar with MTSS?

3 A Broadly.

4 Q What is MTSS?

5 A So it's the process used by the local schools  
6 for when students are struggling using a database process  
7 for determining installation of increasingly intensive  
8 services to help support that student's needs.

9 Q And do you know what MTSS stands for?

10 A Multi-tiered service system or something in  
11 that regard.

12 Q How, if at all, is MTSS connected with PBIS?

13 A So oftentimes in the counties it's similar  
14 people who are kind of coordinating those two services.  
15 They both maintain kind of a tiered approach to services,  
16 so to speak. I don't know that they are directly, you  
17 know, always tied together. Obviously, for us we are at  
18 the end of the MTSS services, but we still operate a PBIS  
19 kind of program. So they kind of operate alongside and  
20 supportive. MTSS, I would say, is a little bit broader  
21 in terms of it's going to be academic supports as well as  
22 behavioral.

23 Q What training has NorthStar staff received on  
24 PBIS?

25 A So, again, the team went through the team

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1 training. We do refreshers every year with our staff.

2 Q And who provided the team's training?

3 A It was done by the State.

4 Q Who from GaDOE provided that training?

5 A That was before I was here, so I couldn't  
6 answer that.

7 Q And you said that you do updated training each  
8 year?

9 A Uh-huh.

10 Q Who provides that?

11 A I do.

12 Q And do you use any data systems to monitor  
13 student behavior trends?

14 A We do.

15 Q Do you use SWIS?

16 A At a couple of my sites we do.

17 Q What do you use if you are not using SWIS?

18 A So we just have a -- an incident report  
19 reporting system that we use at my other sites.  
20 Sometimes that's tied in through the student information  
21 system. Sometimes that's just a database we keep  
22 internally.

23 Q And what is SWIS?

24 A So SWIS is a product produced by the PBIS  
25 individuals. I believe Segai (phonetic) and his crew

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1 developed that out in Oregon. It's basically just a  
2 discipline tracking database.

3 Q And which locations at NorthStar use SWIS?

4 A Dalton probably uses it most consistently,  
5 Dalton and Pickens.

6 Q And did NorthStar ever stop using SWIS?

7 A No.

8 Q And how does the PBIS framework rely on data  
9 collection and monitoring?

10 A So we have monthly team meetings where we look  
11 at students who are having office discipline  
12 referral-type issues, and we use that to look at  
13 school-wide types of issues in terms of if we have a lot  
14 of kids who are having behaviors during transitions or on  
15 entry into school or during, you know, nonstructured  
16 lunchtimes or those kind of things, you know, we evaluate  
17 what strategies we can put into place to help decrease  
18 those issues based on trends and when we are seeing  
19 behaviors happen.

20 MS. CHEVRIER: I'd like to ask the court  
21 reporter to -- to mark this as Exhibit 858.

22 (Plaintiff's Exhibit 858 was marked for  
23 identification.)

24 Q MS. CHEVRIER: This is Bates stamped  
25 GA02996440. This is an e-mail from you, Dr. Neal --

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1 A Uh-huh.

2 Q -- to Sandra DeMuth dated September 9th, 2015,  
3 correct?

4 A Yes.

5 Q And you wrote that you were "trying to get back  
6 to using SWIS and you were on the list as a facilitator.  
7 Can you help get us started again. I will have one staff  
8 doing data entry for the whole program, so he will need 3  
9 hour class again."

10 A Uh-huh.

11 Q What did you mean that you wrote you were  
12 trying to get back to using SWIS?

13 A So I had had a -- the staff who was doing data  
14 entry prior to that was no longer on board, so this is  
15 the beginning of the year. I was trying to get a new  
16 staff trained to provide that service. So we were  
17 continuing to collect the data; we just had not dumped it  
18 into the SWIS system, and so I needed somebody trained to  
19 be able to do that.

20 Q And is it correct that the SWIS system helps  
21 you see all the different data so that you are able to  
22 make, you know, assessments about a particular student's  
23 need?

24 A Yes. So it helps us look individually at  
25 students but also, like I said, at program-wide variables

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1 in terms of time such as time of day it's happening,  
2 location where it's happening, sometimes the preceding  
3 incidents.

4 Q Are you able to look at other data such as  
5 attendance?

6 A Uh-huh. Yes.

7 Q And do you look at that through the SWIS  
8 program or elsewhere?

9 A Typically that's done through the student  
10 information systems.

11 Q Okay. And have you always had access to the  
12 student information systems?

13 A Not always. So sometimes -- and when I first  
14 got here, it was an internal process, and then we would  
15 communicate to the counties, but increasingly we have  
16 been trying to tie into just reporting to the counties  
17 directly to make things more efficient.

18 Q Let's refer back again to Exhibit 848, the FY  
19 2022 grant application. And again, this is temporary  
20 Bates stamp number NORTHSTAR\_TEMP\_000046, although that  
21 is not located on this document, and let's turn to page  
22 11. We're looking for where it says "Service Delivery -  
23 Behavior and Support Therapeutic Services."

24 A Gotcha.

25 Q Below there are a list of services based on

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1 tiers, correct?

2 A Yes.

3 Q What is meant by "tier" in this context?

4 A So kind of as I mentioned earlier, we -- in  
5 terms of therapeutic services and based on, number one,  
6 the particular characteristics of a student. So, for  
7 instance, if I have a student who is nonverbal, they are  
8 probably not going to benefit from talk therapy, so that  
9 might influence the -- you know, whether their -- how  
10 often they are getting counseling or those kinds of  
11 issues, or if they have outside therapists.

12 So we -- our clinical team kind of puts kids in  
13 tiers in terms of the students requiring the most support  
14 and maybe who, because of recommendations from the  
15 parents and the other members of the IEP team, think  
16 maybe they need a higher level of like maybe, like,  
17 weekly counseling as opposed to maybe a couple of times a  
18 month we create tiers to kind of put kids in categories  
19 to help us kind of schedule those activities.

20 Q On the same page, it says, "Tier I - All  
21 Students Tier I supports and services are provided daily  
22 for 100 percent of students," correct?

23 A Correct.

24 Q What does that mean?

25 A So Tier I supports are just things we do every



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1 day for every student. So PBIS would be one of those  
2 things. It's a school-wide program. It's used with all  
3 students.

4 Social skill instruction would be another  
5 example of something we do every day with all of our  
6 students, so those are things that just happen with every  
7 kid.

8 Q It then says that the number of students in  
9 Tier I is 67, correct?

10 A Yes.

11 Q And then it says that the percentage of  
12 students in Tier I is 66?

13 A Right.

14 Q And are these numbers and percentages accurate?

15 A I assume.

16 Q And are these numbers similar for the current  
17 school year?

18 A I mean, I would -- I would actually have to  
19 figure that, but I'm assuming it doesn't change very much  
20 year to year.

21 Q And then there is space where the supports and  
22 services available under Tier I --

23 A Uh-huh.

24 Q -- are located, correct?

25 A Yes.

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1 Q Are all of these services provided to every  
2 student who receives Tier I services?

3 A Yes.

4 Q And so every student who attends NorthStar  
5 receives these services?

6 A Yes.

7 Q And I just want to go back. So it says that  
8 the number of students in Tier I is 67, and that 100  
9 percent of students receive Tier I, but then it says  
10 percentage is 66?

11 A Right. I think what I was trying to  
12 communicate with those numbers -- and I might have been  
13 unclear in terms of how I reported it -- but out of --  
14 I'm just going to say we serve around 100 students a  
15 year, probably 67 of them were Tier I only.

16 Q Gotcha.

17 A If that makes sense.

18 Q Gotcha. So all students receive Tier I, but  
19 this is showing the students that only received Tier I?

20 A Correct. Correct.

21 Q Let's go through the different services that  
22 are provided for Tier I students. What is meant by FBA  
23 assessment and BIP review?

24 A So again, we collect FBA data all the time on  
25 our kids, so at any point in time we can pull that data

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1 and look at function, antecedents, consequences, and are  
2 the -- you know, are we meeting the functional needs of  
3 students with that data? So because we're collecting  
4 that data all the time, every one of our students gets  
5 that.

6 Q And is a new FBA completed whenever a student  
7 first enrolls at NorthStar?

8 A We typically do 45 -- our process generally is  
9 to do about 45 days of observation and then go back to  
10 the BIP, behavior intervention plan, that we inherited  
11 from the referring school district, and then look at in  
12 terms of what we think we need to keep from that plan,  
13 what we need to tweak, what can be added in to help  
14 increase the efficacy of the plan.

15 Q So I heard you when you said it, it was a  
16 45-day process. Is that day 1 to 45 when a student  
17 arrives?

18 A Yeah, and it's general. You know, we try to --  
19 on all of our kids we try to have a meeting about that  
20 far out. It can be variable if the parent requests it  
21 earlier, later, but generally we like to have a good  
22 amount of data before we get back together. We are also  
23 doing some other assessments during that time. And so  
24 it's just a time to get back together once we know the  
25 student and kind of say, here's what we are seeing now

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1 that they are with us, and here's what our  
2 recommendations would be.

3 Q And who -- and I get a sense from your answer  
4 that it might be a number of people, but who conducts the  
5 FBAs?

6 A So the teachers collect the FBA data and do the  
7 analyses.

8 Q Okay. And is --

9 A (Inaudible.)

10 Q Sorry, go ahead.

11 A And in addition, they coordinate with the  
12 clinical staff on the clinical compotion (sic) -- any  
13 clinical components of the plan.

14 Q Is a new BIP or when a student enrolls at  
15 NorthStar, is that what happens after the 45-day FBA?

16 A Typically. Occasionally in the actual referral  
17 meeting there may be -- I guess that's more changes to  
18 the IEP typically. Typically we have to, you know, have  
19 some data and look at that before we make any  
20 adjustments.

21 Q And are the BIPs always based on an FBA?

22 A Yes.

23 Q And who drafts the new BIP?

24 A So classroom staff in coordination with the  
25 clinical team.

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1 Q And who is responsible for implementing the  
2 BIP?

3 A All staff.

4 Q And what events lead to the creation of a new  
5 BIP outside of new enrollment?

6 A Annually we always go back and redo the  
7 behavior intervention plan annually. If a student is  
8 having significant number of behavioral issues, we will  
9 do a behavioral review and adjust the BIP at that point  
10 as well.

11 Q Another service listed under Tier I is skill  
12 instruction.

13 A Uh-huh.

14 Q Correct?

15 A Correct.

16 Q It then lists in parentheses "(social skills,  
17 emotional regulation (dialectical behavior therapy/zones  
18 of regulation, mindfulness, 4 pillars of healthy  
19 living)."

20 A Correct.

21 Q What is meant by "skill instruction"?

22 A So generally that's -- it could be academic  
23 readiness skills, but generally it's social skill  
24 instruction, so how we get along with others. Like I  
25 said, it could be things like how we stay on task, how we

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1 organize our books and materials, how we work in a group.  
2 So some of those are what we call pre-academic skills.  
3 But generally it's to, just how do we accept feedback?  
4 How do we follow directions? How do we disagree  
5 appropriately when we have a disagreement? Those kinds  
6 of things.

7 Q And who teaches that?

8 A Our teachers and our clinical staff, both.

9 Q And how is emotional regulation taught?

10 A So that is one of the frequent topics in our  
11 group therapy sessions with our clinical staff. Teachers  
12 also push in and teach those skills as well, and I will  
13 do a lot of the coaching to make sure every student has  
14 strategies that they know they can use when they are  
15 starting to have emotions that are becoming overwhelming.

16 So, you know, certainly the team works on that.  
17 Coordinators could be teaching those skills. Registered  
18 behavior technicians could be teaching those skills, so  
19 pretty much the whole team, but the teachers do the  
20 direct instruction, if that makes sense, and the clinical  
21 staff in a group setting sometimes.

22 Q What is dialectical behavior therapy?

23 A So dialectical behavior therapy is an emotional  
24 regulation program. A lot of our outside agencies use  
25 those strategies as well. It's also a program that's

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1 extremely -- so it's got some behavior modification  
2 elements, but it also teaches things like mindfulness.  
3 It has some social skill instruction components as well,  
4 but it teaches things like emotional regulation and  
5 distress tolerance.

6 Q And does each NorthStar location provide DBT?

7 A Our clinical staff are all trained in DBT.

8 Q Sorry, when I say "DBT," you understand I mean  
9 dialectical --

10 A Yes.

11 Q -- behavior therapy?

12 A Yes.

13 Q I did that one to myself.

14 What qualifications or certifications do those  
15 individuals have to provide DBT?

16 A So they go through a training with Marsha  
17 Linehan's organization, that she's a person who developed  
18 dialectical behavior therapy.

19 Q And do they have to have any like preexisting  
20 qualifications or certifications or degrees in order to  
21 take that certification program?

22 A Typically, as long as they are a social worker  
23 or a licensed professional counselor, they can just take  
24 the course.

25 Q How frequently is DBT provided?

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1           A    So the way we use dialectical behavior therapy  
2   is we teach the strategies, the skill-based portions of  
3   that, that program.  It's a much more -- the broader DBT  
4   model is a much broader kind of thing.  But again, if our  
5   kids are receiving DBT in outpatient services, then we  
6   use it to coach the strategies for emotional regulation  
7   that are taught within and for distress tolerance that  
8   are taught within that program.

9           Q    What is zones of regulation?

10          A    So zones of regulation is another program that  
11   teaches kids when they are having a dysregulating  
12   emotion, what are some strategies you can use to get  
13   yourself back on track.  It's meant for younger kids,  
14   generally.  So again, dialectical behavior therapy is a  
15   program that was normed on adults and has been adapted  
16   down to the adolescent level, but it's a little advanced  
17   for some of our younger population.

18                So zones of regulation is much more set up.  
19   So, for instance, instead of kids saying, I'm having a  
20   particular emotion, they can just tell you they are red  
21   instead of green.  It gives them another way to  
22   communicate what they are feeling.  And then we can say,  
23   well, if you are on red, what can we do to help you get  
24   to green?

25                So it just gives them a different language.



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1 It's a little more kid-friendly to help them communicate  
2 when they are feeling dysregulated and get in a  
3 conversation about strategies we can use to get back to a  
4 better place.

5 Q Does -- does every NorthStar location provide  
6 zones of regulation?

7 A I don't believe so.

8 Q Okay.

9 A Or let me correct. All of my locations are  
10 trained. I was thinking GNETS in general, sorry. All of  
11 my -- some of my counties are a little more assertive  
12 with using it within their LEAs, so I would say, you  
13 know, we use it a little more heavily with kids who  
14 that's part of milieu of their, you know, referring  
15 school and those kinds of things, but a lot of my -- I  
16 would say all of my sites use it at some level.

17 Q And who provides those zones of regulation  
18 curriculum at each location?

19 A I have traditionally.

20 Q And how frequently is it provided?

21 A So it's -- a lot of my classrooms use it almost  
22 as a check-in throughout the day. So kids will report,  
23 hey, this is what color I am on, you know, and we can  
24 talk about where they are at and that kind of thing, as  
25 well as spontaneously. So that's the most common way

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1 it's used throughout the program. And then certainly if  
2 kids are showing signs that they are dysregulated, we can  
3 use that language with them.

4 But it's kind of used almost as a, you know,  
5 check-in in the morning, where are you at? How are you  
6 doing? End of day, where are you at? How are you doing?  
7 And then we can communicate with families if, you know,  
8 kids are expressing any stress or help them get regulated  
9 before we get them on the bus.

10 Q What is meant by mindfulness in the context of  
11 this list?

12 A So again, within dialectical behavior therapy  
13 and in general and in a number of mental health circles  
14 now, there has been a lot of focus on helping kids  
15 develop strategies. A lot of our kids tend to have a lot  
16 of regret about the past, a lot of worries about the  
17 future, and so that often feeds a lot of the anxiety, and  
18 so mindfulness strategies teach kids to kind of stay in  
19 the moment, use some strategies like deep breathing,  
20 paying attention to their body signs and those kind of  
21 things to -- and to kind of clear distressing thoughts  
22 from their mind.

23 And so that's a strategy we have been orienting  
24 our kids to. We have used a couple of different programs  
25 to do that. Like I said, with the adolescent population,

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1 we can use some of the dialectical behavior therapy  
2 material. The Goldie Hawn Foundation a few years ago  
3 released a very kid-friendly version that uses really  
4 concrete kind of activities to teach kids that concept.

5 So -- so we -- and then we also have contracted  
6 with another individual who's doing some of those  
7 activities through videos with our kiddos this year. So  
8 we do that in a number of different ways trying to hit  
9 the different developmental levels of our different kids  
10 to help teach that concept.

11 Q And what qualifications or certifications do  
12 the individuals have to teach mindfulness?

13 A So again, our clinical staff would be their  
14 clinical certifications. With the Goldie Hawn  
15 curriculum, it was developed for teachers, so our  
16 teachers, as well as our clinical staff, will use some of  
17 those activities just because they are really good. And  
18 then the person who is doing the virtual -- I'm  
19 forgetting what her actual certification title is, but  
20 she's done some yoga-type training and those kind of  
21 things, as well as some extra training in terms of  
22 mindfulness in particular, so...

23 Q And how frequently is mindfulness provided?

24 A It really depends on the classroom and -- and  
25 the kiddos. So we try to practice those strategies

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1 fairly regularly, so teachers may just take a break and  
2 take a minute or two and do a mindfulness activity with  
3 their students, especially if we are going from a  
4 high-activity situation to something where kids need to  
5 focus more coming in from recess, getting ready for  
6 class, those kinds of things.

7 So we try to take those moments throughout the  
8 day, as well as it might be a coaching thing for an  
9 individual kid who has become dysregulated. So if we  
10 pre-taught some strategies, that might be cued or  
11 prompted or the staff might do it with a kid at a certain  
12 time when they are feeling dysregulated. So it -- it  
13 varies a little bit with each kid and kind of what's  
14 going on with them.

15 Q What is meant by four pillars of healthy  
16 living?

17 A So that's part of our curriculum that we have  
18 added in more recently. One of the things we find with  
19 our kids is they don't eat well, they don't sleep well,  
20 they don't exercise, and they don't do a lot of stuff to  
21 kind of relax and have healthy ways to kind of  
22 de-escalate some of those emotions.

23 And so that material kind of focuses on some of  
24 the basics with that kind of thing. The importance of  
25 getting a good night's sleep, the importance of trying to

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1 do physical things every day, all those things contribute  
2 to mental health, so it's some curriculum activities we  
3 use around those kinds of concepts.

4 Q And who provides that curriculum at NorthStar?

5 A We structured -- The Four Pillar Framework was  
6 developed by a gentleman named Dr. Chatterjee. So we've  
7 used his book with our clinical staff to kind of  
8 familiarize them with his approach. We like it because  
9 it's just very simple. You've got to move. You've got  
10 to relax. You've got to eat. You know, that kind of  
11 thing. So he uses nice language. And it's all stuff  
12 that can be done without a lot of money, you know, some  
13 very practical strategies that kids can implement. And  
14 so we've used that as a framework to kind of structure  
15 some of that discussion.

16 Q And who at NorthStar implements that structure?

17 A The clinical staff.

18 (Court reporter clarification.)

19 Q BY MS. CHEVRIER: Next in the list of PBIS --  
20 sorry, next in the list, PBIS school-wide support is  
21 listed, correct?

22 A Uh-huh. Yes.

23 Q Is it accurate to say that everything included  
24 in this list is part of that framework?

25 A Yeah.

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1 Q Was anything additional meant by including PBIS  
2 in this list?

3 A I guess just in terms of it's kind of its  
4 separate own program that focuses, you know, more on  
5 teaching the values, having the reinforcement systems  
6 that's used school-wide. So from a -- it's more of  
7 this -- I think of it more as a school-wide kind of  
8 option, but I can see where you could encompass some of  
9 the others within it.

10 Q What is classroom motivation systems?

11 A So that could be Tier II classroom behavior  
12 supports, but it's just the individual incentive systems  
13 that each teacher has to motivate positive behavioral  
14 choices and reinforce replacement skills.

15 Q And who provides the classroom motivation  
16 systems?

17 A So the teachers develop those systems.

18 Q And are those systems always in place? Is that  
19 the goal?

20 A Yes.

21 Q What is meant by, "Group two times a month  
22 focusing on emotional regulation, healthy living, and  
23 trauma support"?

24 A So all our Tier I kids get group interventions  
25 where the clinical staff come into the classroom and

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1 we'll do activities around, you know, emotional  
2 regulation, healthy living and the trauma issues we  
3 talked about earlier.

4 Q Who -- is this provided at every NorthStar  
5 location?

6 A Yes.

7 Q And what is meant by "therapeutic crisis  
8 de-escalation"?

9 A So that's just anytime a student becomes  
10 dysregulated and needs some assistance in coaching and  
11 prompting to get themselves back into control.

12 Q And is this provided at every NorthStar  
13 location?

14 A Yes, it is.

15 Q And how is therapeutic crisis de-escalation  
16 taught to your staff?

17 A We do training every year.

18 Q Who provides that training?

19 A I do.

20 Q And how frequently is therapeutic crisis  
21 de-escalation provided?

22 A I would say -- and again, it depends on the  
23 student. Some don't need it very often. Some need it  
24 daily or multiple times a day, so it varies greatly.

25 Q What is meant by "classroom-based restorative

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1 circles"?

2 A So that's a newer intervention that we've  
3 started using over the last couple of years. There's  
4 been more and more restrictions on use in discipline or  
5 traditional discipline, I should say, with kids. We've  
6 started to explore restorative options, which basically  
7 asks kids to -- so when a situation has happened and  
8 relationships have been damaged, it asks them to kind of  
9 begin to think about -- it gives -- so circles in  
10 particular, it gives a framework for pulling kids  
11 together, so, and it gives kind of some rules and  
12 structures for how we can talk to each other about how  
13 our behaviors have impacted other people within the --  
14 the group. And then there is a plan that can kind of get  
15 developed in terms of what can we do to go back and  
16 repair relationships.

17 Q And is this provided at all NorthStar  
18 locations?

19 A It is a newer initiative, so all of my staff  
20 has had exposure to the concept. I do have some that are  
21 a little bit more consistent with the use of it. For  
22 sure, it's strongest in my Pickens County location  
23 because I have a -- a strong coordinator there who's very  
24 motivated and -- and does a great job prompting and  
25 cueing and structuring up some of that with her staff and



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1 modeling that. So it's -- it's most strongly being  
2 implemented there.

3 Q And who taught the classroom-based restorative  
4 circles model to your staff?

5 A So we did -- I've had formal training, as well  
6 as some of my past coordinators who kind of started that  
7 initiative. We also have done some book studies around  
8 the issues, and so a lot of our implementation has come  
9 out of things like the book studies and those kind of  
10 things where we've, you know, discussed different aspects  
11 of that approach, and specifically around the circles in  
12 general, how to facilitate those given examples of models  
13 and what that can look and sound like and those kinds of  
14 things, so...

15 Q And is it your teachers that facilitate the  
16 classroom-based restorative circles?

17 A They certainly can independently do that.  
18 Oftentimes a coordinator may pull in and help with that  
19 process as well, but some classrooms do it independently.

20 Q Let's look at the bottom of page 11 where it  
21 says, "Tier II - small groups of students."

22 A Okay.

23 Q The number of students listed as receiving Tier  
24 II services is 23, correct?

25 A Yeah.

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1 Q And the percentage of students in Tier II is 23  
2 percent, correct?

3 A Yeah.

4 Q And are these numbers similar for the school  
5 year as well?

6 A I assume they'd be fairly consistent.

7 Q Let's turn the page, and let's look at the  
8 services that are listed on the top.

9 A Okay.

10 Q Do all students who are in Tier II receive each  
11 of these services?

12 A Not every service for every student.

13 Q How is it determined what services a student  
14 will use?

15 A So it's just individualized based on, you know,  
16 the needs of the individual student.

17 Q What is Life Space Crisis Intervention Insight  
18 Interviewing?

19 A So we train our staff. There is two parts to  
20 the Life Space Crisis Intervention program. One is more  
21 of a de-escalation component that all of my staff get  
22 trained in. The second component is more of a clinical  
23 interview, so to speak. So it tends to be my more  
24 veteran staff who are trained in that aspect of the  
25 program and my clinical staff.

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1           So it can be a longer type of intervention.  
2       There's a pretty long dialogue that we have with kids,  
3       and there's six different types of interviews that you do  
4       with the kid depending on the issues that are being  
5       presented and the type of situation to help a student  
6       build insight into their behaviors and why they are  
7       engaging in those behaviors. And it usually has a skill  
8       component, too, that we come back to in terms of what we  
9       can do to get our needs met in a more effective way.

10       Q    Is Life Space Crisis Intervention Insight  
11       Interviewing provided at all NorthStar locations?

12       A    Traditionally, yes. I've got one brand-new  
13       clinical team member that's not yet trained in that, so  
14       it's probably not happening as consistently in my Fannin  
15       County region just because I've got a new staff that's  
16       going through training.

17       Q    And who facilitates the Life Space Crisis  
18       Intervention Insight Interviewing?

19       A    So it could be clinical staff most often. It  
20       could be my coordinators, or like I said, my very veteran  
21       staff. So a lot of my RBTs have Life Space Crisis  
22       Intervention training. I do have some veteran teachers  
23       who have that kind of training. So it could be a number  
24       of different staff.

25       Q    And just to confirm, it says that the number of

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1 students in Tier II on the previous page is 23.

2 A Uh-huh.

3 Q And so that's the number of students only  
4 receiving Tier II services?

5 A Yeah. I would have to look at my total number  
6 of students for this year, but... Sometimes, yeah, I  
7 would assume so, just looking at numbers.

8 Q And would these students be receiving Tier II  
9 and Tier I?

10 A Yes. Like all students are getting Tier I,  
11 right.

12 Q So it's 23 students receive Tier I and Tier II?

13 A Correct.

14 Q What is check-in and check-out?

15 A So that's globally just making sure every kid  
16 -- or that kids at this level have a person they can  
17 check in and check out with, talk about their day, check  
18 in in the morning if they are carrying issues from home  
19 or other things, just to help them settle and talk  
20 through things so they don't have to use their behavior  
21 to get somebody's attention, that that's provided just  
22 automatically. They get a time to be with a person they  
23 have a good relationship with and either drain off or,  
24 you know, talk through anything that's been going on.

25 Q And who are those people? Who facilitate the

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1 check-in and check-out?

2 A So it depends. It's usually based on who the  
3 student has a relationship with and affinity towards.

4 Q And what qualifications or certifications do  
5 those individuals have?

6 A So in general, it's just some internal training  
7 that we do. We do receive some support from our GLRS in  
8 terms of check-in and check-out training.

9 Q What is one-to-one intensive instruction?

10 A So that's just, you know, when we pull a  
11 student one-to-one. So what it sounds like, one-to-one  
12 instruction with a student to review different skills,  
13 and those replacing skills specifically they can be using  
14 in certain situations to help be more successful.

15 So when we do general social skill instruction  
16 in the classroom, sometimes we're choosing skills that a  
17 lot of the kids are having difficulty with, but for  
18 particular kids they may have individual skills that they  
19 need more focus, or we may need to use scenarios that are  
20 more specific to the individual student. So it's just a  
21 little more individualized and intensive because it's  
22 just full attention on them.

23 Q Who provides one-to-one intensive skill  
24 instruction?

25 A Again, it could be -- it could be the teacher;

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1 it could be registered behavior technicians; it could be  
2 clinical staff.

3 THE REPORTER: It could be what?

4 THE WITNESS: It could be teachers. It could  
5 be registered behavior technicians, or it could be  
6 clinical staff coordinators. Anyone can do that  
7 instruction.

8 Q BY MS. CHEVRIER: And how frequently is  
9 one-to-one intensive skill instruction provided?

10 A Again, it's based on each individual student  
11 and what's required.

12 Q What is meant by "treatment team behavioral  
13 review"?

14 A So we have a process that we use if we have a  
15 student who is having a lot of behavioral issues just to  
16 get more perspectives into looking at the issue, more  
17 ideas flowing on the table, that we'll bring together all  
18 of the individuals who are interacting with that -- that  
19 student on a consistent basis. So typically that's the  
20 classroom team members. It's any of the support staff  
21 who have been pushing in to work with that staff,  
22 including clinical staff, registered behavior  
23 technicians, coordinators. It occasionally could even be  
24 outside folks. You know, we've pulled LEAs in on some of  
25 those discussions. We've pulled parents in on some of

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1 those discussions. And we go through, and we look at the  
2 data. We talk about what we are doing that's working.  
3 We try to come up with two to three new things that we  
4 could do that could possibly help to get a change in  
5 behavior, and then, you know, we implement those changes  
6 after that meeting.

7 Q And who participates in those treatment team  
8 behavioral reviews?

9 A So as I indicated, it's almost always the  
10 teaching team, the coordinator or myself. At -- like at  
11 my Fannin site, our clinical staff, any support staff  
12 that are routinely interacting with that student such as  
13 a para pro or a registered behavioral technician would be  
14 in that meeting, and it could be additional people like  
15 LEAs or parents.

16 Q And how frequently do these treatment team  
17 behavioral reviews occur?

18 A Any teacher can call a treatment team at any  
19 time. Sometimes that comes out of the PBIS data review.  
20 If we see one particular student is having a number of  
21 discipline referrals over the month, the PBIS team will  
22 recommend that student for a treatment team review.

23 So I'd say most of our center-based sites where  
24 I have most of my larger numbers of students will do five  
25 or ten of those a year. At my smaller sites, you know --

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1 you know, it's probably five a year or those kinds of  
2 things.

3 So it just depends on -- and sometimes we do  
4 them more often if we've got a student, you know, who is  
5 really having a lot of behavioral issues. So it really  
6 depends on the student and what's needed.

7 Q And can you describe what occurs with  
8 individual counseling two times a month?

9 A So it's very individual, so that could be  
10 everything from maybe we have a student who has anxiety  
11 issues, and so we're specifically teaching them about the  
12 anxiety cycles and what they can do at the top of the  
13 anxiety cycle to get through that and let the anxiety  
14 pass and not give in to the anxiety and those kind of  
15 things.

16 If we have a kid who's got phobias about large  
17 spaces, large numbers of people, we might be doing  
18 systematic desensitization to kind of increase their  
19 ability to either tolerate more and more, different  
20 sensory situations where those variables are present.

21 If it's a kid who is having anger control  
22 issues, it might be more skilled teaching around anger  
23 control issues. If it's a student who is cutting, it  
24 might be more dialectical behavior issues. If it's a  
25 student who is schizophrenic and not taking their meds



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1 consistently, it might be educating them about their  
2 medication issues and the importance of staying on those  
3 medications. So it's really individualized based on the  
4 individual student.

5 Q And is individual counseling offered at all  
6 NorthStar locations?

7 A Uh-huh. Yes, it is.

8 Q And is this counseling, unlike the counseling  
9 that we have discussed previously provided by agencies,  
10 is this counseling always provided at a NorthStar  
11 location?

12 A Yes.

13 Q And who is it that provides this individual  
14 counseling?

15 A So it would be my clinical staff.

16 Q So either school psychologist or school --

17 A Social worker.

18 Q -- social worker?

19 A Or a licensed clinical social worker.

20 Q Okay. Let's look at Tier III.

21 A Okay.

22 Q On the middle of page 12, do you see where it  
23 says, "Tier III - very few or individual students"?

24 A Yes.

25 Q And this document lists 11 students is

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1 receiving Tier III services?

2 A Yes.

3 Q And so do those 11 students receive Tier I,  
4 Tier II, and Tier III services?

5 A Again, not all Tier II services, but they are  
6 probably receiving some of those services.

7 Q Okay.

8 A So, for instance, Tier II lists individual  
9 counseling two times a month. For Tier III students it's  
10 four times a month, so it's still the same intervention  
11 just a higher frequency.

12 Q Right. It's not six?

13 A Right.

14 Q Right. I understand.

15 Are these numbers similar to the current school  
16 year?

17 A Probably. Fairly close.

18 Q And 11 percent is accurate?

19 A Yeah. I'm assuming this year I had around 100  
20 kids.

21 Q What is meant by "individual sessions four  
22 times a month"?

23 A So again, that's just what I was referring to,  
24 that that's the frequency of individual sessions. So a  
25 student in Tier III would get four times a month as

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1 opposed to two.

2 Q And it's provided by the same people who  
3 provide the individual sessions two times a month for  
4 Tier II students?

5 A Yes.

6 Q What is "LSCI interviewing"?

7 A So again, that's continuing intervention from  
8 Tier II, so it would just be continuing in Tier III,  
9 probably more frequently, again, would be the  
10 understanding, that that student is needing those  
11 interventions more frequently and more intensively.

12 Q And who provides those LSCI interviews?

13 A Again, just staff who are trained in the full  
14 LSCI process.

15 Q And so that can include teaching staff?

16 A I have a couple of veteran teachers who have  
17 that training, but generally it's RBTs, clinical staffing  
18 coordinators.

19 Q And how frequently is LSCI interviewing  
20 provided?

21 A It's kind of as needed, so it's dependent.  
22 Sometimes it takes a number of office and discipline  
23 referrals to get a trend that requires an LSCI interview.  
24 Sometimes you do an LSCI interview over multiple  
25 sessions, so it's really individually determined based on

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1 what we are seeing from the kid.

2 Q And what is "intensive case review with outside  
3 service providers"?

4 A So again, that's another version of the  
5 treatment team that we talked about at Tier II. We are  
6 just pulling in extra experts at that time. So we have  
7 kind of tried the treatment team meeting at Tier II. We  
8 have tried some new interventions. We have a student who  
9 is still continuing to have difficulties, so we might be  
10 pulling in other therapists at this point. We might be  
11 pulling in other individuals in the student support  
12 system within their framework, a grandparent or those  
13 kind of things, the parents in those meetings; behavior  
14 specialists from the local county; special ed directors  
15 from the local county. So we are just trying to get all  
16 heads together at that point to figure out what we can do  
17 to help get the student stabilized.

18 Q Is that the full list of additional  
19 participants that would be a part of that team?

20 A Those are the most common. We could have  
21 Juvenile Justice folks involved in a discussion like  
22 that. I'm trying to think of anybody else that we've  
23 had. You know, certainly, like I said with some of the  
24 Wraparound service agencies that we discussed earlier,  
25 those folks could be involved in some of those

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1 discussions.

2 Q And where do these intensive case reviews take  
3 place?

4 A They generally happen on-site.

5 Q So at the school location?

6 A Yes.

7 Q And any of the NorthStar locations could hold  
8 these depending on student need?

9 A Correct.

10 Q What is meant by "psychological/psychiatric  
11 assessment"?

12 A So there have been occasions where we just feel  
13 like we need more information on a particular student.  
14 We've had students that have had some trauma issues such  
15 as some sexual abuse kinds of issues where we've  
16 requested things like a psychosocial assessment to get  
17 more information on strategies to help, you know, the  
18 student, and also to help in determining, getting them  
19 hooked into additional Wraparound services and helping  
20 them to qualify for some of those issues.

21 Sometimes we've had psychiatric assessments to  
22 help really look at medication issues. In those  
23 particular situations, you know, we might be getting  
24 something like genetic testing to see if a student might  
25 be more responsive to different kinds of medication

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1 because we are just having trouble getting the student  
2 stabilized.

3 So just trying to help the families to get more  
4 information to help determine what services are going to  
5 be helpful to get, you know, behaviors stabilized.

6 Q And are these psychological -- if it's a  
7 psychological assessment, is it provided by NorthStar  
8 staff or is it --

9 A Generally my psychologicals come from my  
10 counties. Although, we can contract with outside  
11 agencies for an outside psychiatric if we felt there was  
12 some special element or psychological that -- you know,  
13 like I said, a psychosocial assessment, our school  
14 counselors aren't specialized in those particular areas,  
15 so we might contract with the Medlin clinic or someone  
16 like that who specializes in that particular area to get  
17 that kind of an assessment.

18 Q When you say sometimes it comes from the  
19 county, is that like a psychologist who works for the  
20 county and does not typically come into NorthStar?

21 A Our counties do most of our psychologicals  
22 anyway.

23 Q Okay. So it's county staff, not NorthStar  
24 staff?

25 A Correct.

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1 Q And the same for psychiatric, that you would  
2 have to send it out?

3 A Yeah. That would be a contract out service.

4 Q And are these provided -- I guess, are these  
5 assessments conducted at NorthStar or elsewhere?

6 A Both. I would say most often they are going to  
7 the clinic of the person that's being contracted with.

8 Q And who funds these assessments?

9 A Either myself or the county.

10 Q And how is it determined that a student needs a  
11 psychological or psychiatric assessment?

12 A Usually that comes out of the IEP team.

13 Q So --

14 A It could be a parent request. Sorry.

15 (Court reporter clarification.)

16 Q BY MS. CHEVRIER: So we've discussed the  
17 services provided as part of a mental health  
18 collaboration, and we've discussed the services provided  
19 as part of the PBIS framework, correct?

20 A Yes.

21 Q Are there any other therapeutic services  
22 provided to students at NorthStar locations?

23 A I would say in general the therapeutic milieu.  
24 You know, I know, that's an old-fashioned kind of  
25 concept. That shows you how old I am. But, you know,

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1 it's all the -- we -- we have a concept that we've talked  
2 about in the network since its inception that treatment  
3 is not just sitting down with the counselor for 30  
4 minutes. It's everything that happens for the rest of  
5 the 23 hours in the day.

6 So that's your therapeutic relationships.  
7 That's the safe and secure and predictable environment  
8 for kids. That's the having somebody there that I can  
9 talk to and who will listen to me and help me work  
10 through my issues whenever they come up kind of a thing.

11 So I always in my mind include that in our  
12 therapeutic services because I think that's a big  
13 difference in terms of what helps kids be effective  
14 beyond just a clinical session sitting down with somebody  
15 for 30 minutes of therapy.

16 Q So I understand the idea and goal that a  
17 therapeutic setting encompasses everything that the --

18 A Yeah.

19 Q -- setting has.

20 Is there any like major aspect of therapeutic  
21 services that we're missing that we have not gone over  
22 yet?

23 A I would say, the things that are kind of  
24 traditional in school settings like sensory supports,  
25 occupational therapy, those kind of things, especially



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1 for kids with anxiety or have a lot of movement issues or  
2 those kind of things, that's obviously part of the  
3 therapeutic process or -- or strategies like that.

4 I'm trying to think of anything that's kind of  
5 outside of that. A lot of the other stuff would fall in  
6 these categories.

7 Q And who provides occupational therapy at  
8 NorthStar?

9 A The local school systems.

10 Q And is that provided at each of the NorthStar  
11 locations?

12 A Yes.

13 Q And what qualifications does the individual  
14 have that comes to provide occupational therapy?

15 A They would meet State qualifications for those  
16 positions.

17 Q Are you familiar with Apex?

18 A I am.

19 Q What is Apex?

20 A So Apex is, I believe, a grant program that was  
21 rolled out. I don't know if that came from the  
22 Department of Behavioral Health or kind of who initiated  
23 that, but I know the State and some entity got some  
24 moneys for school-based counseling, and so agencies like  
25 Georgia HOPE and our Murray County program, and I believe

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1 Gilmer has Apex as well, have counselors in their schools  
2 that are actually -- they kind of, like I spoke about  
3 earlier, give space for those agencies to operate to make  
4 it easier for kids to access services, and so a couple of  
5 my counties have Apex services in their school systems.

6 Q And how did you learn about Apex?

7 A Through those school systems.

8 Q And can you access Apex at NorthStar?

9 A We don't have Apex counselors on our sites.

10 Our students, some of them are accessing Apex services  
11 before they come to us. But as I understand it, there is  
12 some -- I believe that's prohibited somehow in their  
13 originating framework. So there is some conflict, I  
14 think, that at least traditionally when we have asked  
15 about that, I have been told that there's -- that that's  
16 not something they typically do.

17 Q And so you have in the past asked for Apex  
18 services?

19 A Well, we have inquired as to whether that would  
20 be a potential for our students.

21 Q And did you inquire because you were interested  
22 in Apex services?

23 A Certainly. We're always interested in any way  
24 we can get extra services for our kids.

25 Q And which counties is it that have Apex

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1 services?

2 A Yeah, I think primarily it's Gilmer County is  
3 using Apex. I know Murray County has done it for a long  
4 time. I'm not -- there was some discussions in Pickens,  
5 but I'm not aware if they've got that fully established  
6 there yet.

7 Q And do any NorthStar students receive Apex  
8 services after they leave NorthStar?

9 A I don't track that, but they certainly would  
10 have access to that. Again, sometimes once they -- so,  
11 for instance, Georgia HOPE is the agency that most often  
12 provides those services to students in those counties.  
13 And so, again, sometimes when they are with us they are  
14 still receiving Georgia HOPE services, but it's just --  
15 and those people can still come to the school to provide  
16 those services; it's just they don't have office space in  
17 our centers. And so, you know, they obviously continue  
18 with their Georgia HOPE services once they leave us.

19 Now, how much of that is happening in their  
20 home or clinics and how much is happening at school-based  
21 sites, I'm not -- we don't track that.

22 MS. CHEVRIER: I'd like to ask the court  
23 reporter to please mark this document as Plaintiff's  
24 Exhibit 859.

25 (Plaintiff's Exhibit 859 was marked for

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1 identification.)

2 Q BY MS. CHEVRIER: This is Bates number  
3 GA01940204. This is an e-mail thread between you,  
4 Dr. Neal, and Nakeba Rahming with the most recent e-mail  
5 dated September 22nd, 2017, correct?

6 A Yes.

7 Q And this also includes a forwarded e-mail from  
8 someone named Doris, correct?

9 A Okay.

10 Q Do you recognize this e-mail?

11 A This is a while ago, but I broadly remember the  
12 discussion.

13 Q And do you remember who Doris is or what their  
14 role is?

15 A Let me just -- I assume this was offering  
16 telehealth services for students. It's an agency that  
17 maybe provides those services.

18 Q Do you see where Nakeba wrote to you and said,  
19 "Doris reached out to Presence Learning to work out  
20 support for her students to be provided with online  
21 behavior therapy"?

22 A Okay.

23 Q "If this is something you think would work for  
24 your students in the 2 districts that you need help with,  
25 please let me know and I will provide the reimbursement

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1 the same way I have for the social worker."

2 A Yes.

3 Q What did you understand "in the 2 districts  
4 that you need help with" to mean?

5 A So again, that was a situation where we were  
6 trying to hire a licensed clinical social worker or  
7 professional counselor in my Fannin County program. We  
8 were having difficulties even with StaffRehab, which is a  
9 staffing agency, kind of trying to help, and I guess  
10 Education Healthcare trying to help staff that position.  
11 So we just had an opening we were trying --

12 Q So --

13 A -- to fill.

14 Q I'm sorry.

15 A We just had an opening we were trying to fill.

16 Q And you said in your Fannin location, so are  
17 the two districts referred here, is it referring to  
18 Fannin and Gilmer?

19 A It must be, because they only -- I might  
20 have -- it's possible I also had an opening in somewhere  
21 else that they maybe were trying to source a worker for.  
22 I don't -- I don't remember at this point, you know,  
23 where my openings were. So I suspect it wasn't Gilmer  
24 and Fannin; I suspect it was one of my other sites where  
25 we still had an opening.

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1 Q And is it your understanding that Nakeba was  
2 offering -- or Ms. Rahming was offering for GaDOE to pay  
3 for telehealth behavioral therapy for some of your  
4 students?

5 A Yes, through that therapeutic grant.

6 Q Did you move forward with this option?

7 A No. We were able to hire a person to provide  
8 face-to-face.

9 Q To your knowledge, did other GNETS programs  
10 move forward with telehealth options?

11 A I really don't know.

12 Q And has NorthStar ever used telehealth for  
13 behavior therapy?

14 A We haven't.

15 Q Is it fair to say that NorthStar could have  
16 used telehealth for behavior therapy?

17 A We could have tried.

18 Q Who owns the Pickens Jasper Center --

19 A Like the --

20 Q -- the actual building?

21 A -- physical building?  
22 Pickens County.

23 Q Do you know approximately when it was built?

24 A I don't. I believe I wrote the date on  
25 whatever document I submitted.

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1 Q And do you know how long it's been used as a  
2 GNETS facility?

3 A We've been in that building three or four  
4 years, probably, at this point.

5 Q And do you know what it was used as prior to  
6 that time?

7 A Some offices primarily. I think at one time it  
8 was like a -- what we call as a student services intake  
9 center or something to that effect. It has been a number  
10 of different things I think in the past.

11 Q But it hasn't always been a school?

12 A Correct.

13 Q What is the nearest general education building  
14 to the Pickens Jasper Center?

15 A It's across the street.

16 Q And do any students from that school attend the  
17 Pickens Jasper Center for any reason?

18 A I'm trying to think if we've had any. We more  
19 visit them than they visit us.

20 Q And what is the building capacity?

21 A It's a small building, so we just have three  
22 classroom spaces there, so I don't -- you know, legally  
23 what the capacity would be, I don't have that  
24 information.

25 Q I know you have three classrooms there. Is

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1 that the total number of classroom spaces available at  
2 the location?

3 A Yes, at this point.

4 Q Are any classes held in trailers or mobile  
5 units?

6 A I have one in Fannin County.

7 Q So specifically at the Pickens Center, is there  
8 a cafeteria?

9 A No. Students eat in the classroom. We get the  
10 food from the school across the street.

11 Q Okay. And is there a gym?

12 A Across the street.

13 Q And I think you said earlier that there is  
14 dedicated PE time where they go to that gym?

15 A Correct.

16 Q Is that right?

17 A Correct.

18 Q And is there a certified PE teacher?

19 A It's our teachers providing that instruction.  
20 There is an adaptive PE teacher that pushes in one time a  
21 week.

22 Q So there's -- so the classroom teachers provide  
23 PE except for the adaptive teacher?

24 A Correct.

25 Q And is there a playground across the street?



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1 A There is.

2 Q That the students at Pickens are able to use?

3 A Yes.

4 Q At Pickens is there a music room?

5 A No. There is in the school across the street  
6 but not with us.

7 Q Is it used by Pickens --

8 A No.

9 Q -- students?

10 A Our students traditionally don't access it.

11 Q Is there a music class?

12 A Not currently. I'm working to try to contract  
13 with a music therapist to come and provide that service.

14 Q Is there an art room at Pickens?

15 A We do art within the classrooms.

16 Q Is there a certified art instructor?

17 A No, not at this time.

18 Q Is there a designated time for art?

19 A No. It's scheduled in in different activities  
20 during the week.

21 Q And do Pickens students use the playground  
22 across the street at the same time that gen ed students  
23 use the playground across the street?

24 A Sometimes; not always, but sometimes.

25 Q And that's during the school day?

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1 A Yes.

2 Q You say sometimes, not always; how frequently?

3 A Well, I would say most -- because it's a middle  
4 school who doesn't have traditional recess times, I would  
5 say most often it's -- there's not students out there for  
6 a recess period, if that makes sense. You know what I am  
7 saying? But there sometimes are students out there.  
8 It's just usually a teacher bringing their kids out kind  
9 of a thing --

10 Q Gotcha.

11 A -- because it's a middle school.

12 Q So there's not a scheduled time where --

13 A It's not like at the elementary school where  
14 everybody has scheduled recess times.

15 Q Gotcha. So there isn't a scheduled time when  
16 students from Pickens attend -- participate in playground  
17 across the street with students --

18 A Correct.

19 Q -- in gen ed?

20 A Correct.

21 Q Are there metal detectors at Pickens Center?

22 A No.

23 Q Is there a science lab at Pickens?

24 A So let me back up and be clear. We do wand our  
25 students when they come in.

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1 Q Okay.

2 A But there is no metal detector, per se.

3 Q Is every student wanded?

4 A Yes.

5 Q Every day?

6 A Yes.

7 Q Do students have to take off their shoes?

8 A Generally not, unless we've had a problem with  
9 them bringing in contraband or those kinds of things. It  
10 might be part of the search requirement if we've had  
11 prior issues.

12 Q Do students get their bags checked?

13 A Yes.

14 Q When they walk in?

15 A Yes.

16 Q Every day?

17 A Yes.

18 Q Do students have to have clear bags?

19 A Not necessarily.

20 Q Okay. You said not necessarily. Is that a  
21 requirement for some students?

22 A So if we've had a student make a terroristic  
23 threat or something, that might be part of a safety plan.

24 Q Okay. Does Pickens Center have a science lab?

25 A No.

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1 Q Does it have a library?

2 A No.

3 Q Does it have a -- does it offer specials or  
4 electives?

5 A No.

6 Q Does it offer --

7 A I mean, other than integrated into our  
8 classroom activities, no.

9 Q Does it have extracurricular activities?

10 A We would connect to the extracurricular  
11 activities offered by the county.

12 Q Okay. And I think you mentioned earlier that  
13 there is the Partners Club?

14 A Correct.

15 Q Are you aware of students at Pickens  
16 participating in any other extracurricular activities?

17 A So generally that comes from parent requests.  
18 So like if a parent is interested in a kid participating  
19 in a particular activity, that will be a discussion with  
20 the IEP committee team meeting about how they might  
21 access that service and what the behavioral requirements  
22 might be for them to successfully access that. So it  
23 would be a discussion with the IEP team.

24 Q Do you have a sense of how many students  
25 participate in extracurricular activities from the

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1 Pickens Center?

2 A It's -- it's not a high number, so it's a  
3 couple a year --

4 Q Okay.

5 A -- generally.

6 Q And let's look at -- look back at the FY 2022  
7 grant report.

8 A Okay.

9 Q The very last page. It's nice because it's  
10 easy to get to.

11 A Yes.

12 Q It asks how many students participated in  
13 extracurricular activities with the LEA, and it lists  
14 zero.

15 A Which could have been true that year.

16 Q Okay. And is it typically around zero?

17 A It's usually a low number.

18 Q Okay.

19 A A handful of students at the most.

20 Q Do you have any spaces that you utilize for  
21 de-escalation in Pickens Center?

22 A Yes. We have sensory rooms and...

23 Q Do you have intensive intervention rooms?

24 A Not specifically. We do have -- so like we  
25 have an active sensory area. We have a more calming

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1 sensory area, and sometimes just we can, depending on the  
2 student and -- and the needs, you know, we can just have  
3 a room that doesn't have a lot of stuff in it where they  
4 can just go and take some time and space.

5 Q Are there any seclusion rooms?

6 A No.

7 Q Do you have spaces that were previously used as  
8 seclusion rooms?

9 A No.

10 Q And what is the maximum number of grades served  
11 in a Milestones class at Pickens?

12 A We try to stay in the six to eight range, and I  
13 would say in Pickens that's pretty traditional. I guess  
14 in some years I have had up to ten kids, maybe like in a  
15 high school class. But traditionally, again, I only  
16 serve 15 to 20 kids at that location most years, so  
17 generally the numbers are fairly low.

18 Q And what's the maximum number of grades served  
19 in a Milestone class?

20 A We try to keep that range to about -- no more  
21 than three years is our preference, but it can be up to  
22 five with the elementary age kiddos.

23 Q And how are classes assigned at Pickens within  
24 the Milestones classes?

25 A So just in terms of we try to, you know, mimic

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1 a little bit what our counties are doing in terms of the  
2 requirements for service minutes, but they would get  
3 every class that would be offered to them in terms of,  
4 you know, math, ELA, science and social studies and those  
5 kind of things.

6 Q And the different classrooms, are they  
7 designated by grade level?

8 A Pretty much.

9 Q Are there any examples that are different?

10 A That's like how we refer to them most often,  
11 you know, elementary, middle or high. You know, when I  
12 only have three classrooms, generally that's the  
13 vernacular we use.

14 Q Does the Pickens Center have any students  
15 pursuing GAA?

16 A We do have a couple of GAA kids at that site.

17 Q Is there a maximum number of students allowed  
18 in a GAA class?

19 A It would be the same. You know, the State  
20 guidelines would be higher than any of our guidelines,  
21 so...

22 Q Are there specific GAA classes, or are those  
23 students mixed in with students pursuing Milestone?

24 A They are integrated. Again, we don't have very  
25 many of those students, but they do.

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1 Q Okay. Do you know who owns the Dalton Center?

2 A Whitfield County Schools owns the current  
3 building.

4 Q And it's only been in use for a year?

5 A Right.

6 Q And what was it used as prior to that time?

7 A It was a middle school.

8 Q And what is the closest school to that  
9 location?

10 A There's a -- the brand-new middle school is a  
11 mile away.

12 Q And what is the building capacity?

13 A I don't have that information offhand.

14 Q Are there any classes held in trailers or  
15 mobile units at Dalton?

16 A No.

17 Q Is there a cafeteria?

18 A There is.

19 Q Is the food prepared on-site?

20 A It's not. It's brought in from the middle  
21 school.

22 Q From the one a mile away?

23 A Yes.

24 Q And do students eat in the cafeteria?

25 A They do.



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1 Q Do all students eat in the cafeteria?

2 A Yes.

3 Q Is there a gym at Dalton Center?

4 A We have an activity room.

5 Q What's included in the activity room?

6 A They are big open spaces where, you know, kids  
7 can do most of the traditional things we would do in the  
8 gyms, outside of we don't have basketball hoops or those  
9 kinds of things, but they can do structured activities in  
10 terms of physical education class-type activities.

11 Q And is there -- is there dedicated PE time?

12 A Yes, again, for our K-8 students, typically.

13 Q At Dalton?

14 A Correct.

15 Q But not for high school?

16 A For high school it depends on their courses and  
17 what, you know, their courses are.

18 Q And is there a certified PE teacher?

19 A I do not. Again, some of my teachers have dual  
20 certification. I have -- I have some teachers with  
21 physical education certification, but not all of them.

22 Q And is there a playground?

23 A There is.

24 Q At Dalton Center?

25 A Yes.

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1 Q And is there a music room?

2 A We traditionally have done like music therapy  
3 in our -- we have a number of spaces where we could do  
4 that. We've done it in our media center before where  
5 she's done those activities, not a dedicated music room.

6 Q And do you have a certified music instructor?

7 A So we were working first semester with a music  
8 therapist who was coming in.

9 Q How frequently would they come in?

10 A She was coming in once a week.

11 Q And did all students at Dalton Center get to  
12 meet with her?

13 A Except for the high school students, yes.

14 Q And is there an art room?

15 A There is a space that we're developing into an  
16 art room.

17 Q Do you currently have a certified art  
18 instructor?

19 A I do not.

20 Q And is there currently any designated time for  
21 art?

22 A Teachers work it into their lesson planning,  
23 so...

24 Q Are there any metal detectors at Dalton Center?

25 A Again, we wand our students when they come in.

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1 Q And do you also check their backpacks?

2 A Yes.

3 Q Every day?

4 A Yes.

5 Q And do they have to take their shoes off?

6 A That's only if required by safety.

7 Q And is it the same, that they only have to have  
8 a clear backpack if there's a particular requirement?

9 A Correct.

10 Q Is there a science lab at Dalton?

11 A Again, we have one that's in development there.  
12 They are renovating the front of the building, so  
13 currently I have tech staff in that room, but as soon as  
14 the renovation is clear up front, then we will be able to  
15 continue our development of the science lab.

16 Q Is there a library?

17 A There is a library.

18 Q Do students have designated time to visit the  
19 library?

20 A Yes. Teachers can schedule times to be in  
21 there.

22 Q So they can schedule times. Is there like a  
23 particular amount of time that they schedule or  
24 frequency?

25 A It's based on each classroom and kind of the

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1 activities that the teacher is planning.

2 Q Can a teacher choose not to schedule a library  
3 time?

4 A Yes, but most of them choose -- you know, have  
5 times in their schedule to do that.

6 Q And does Dalton still have a music therapist?

7 A She -- she quit over the holidays. So I think  
8 she was providing services to multiple counties, and that  
9 was her counties that were furthest out.

10 Q Gotcha.

11 A So she decided to discontinue her service with  
12 Dalton.

13 Q Are you seeking to fill her position?

14 A So that was a position that was provided to us  
15 from Dalton Public Schools, so I'm sure they're sourcing,  
16 you know, to try to get another therapist on board. She  
17 does service my Fannin County -- or Fannin -- East Fannin  
18 Elementary, so we are trying to see if we can get her  
19 integrated into our services in Fannin since we know  
20 she's working up there already.

21 Q But she is not currently working in Fannin?

22 A No. We haven't got that contract ironed out  
23 yet.

24 Q And does Dalton have any specials or electives  
25 for students?

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1 A You know, just what we provide.

2 Q What you provide in the classroom you mean?

3 A Right, in terms of, you know, activity time and  
4 music therapy and those kinds of things.

5 Q And are there any extracurricular activities  
6 that students at Dalton can participate in?

7 A Sure. And again, that would go through the IEP  
8 committee and then, you know, tying into this  
9 extracurricular activities at their schools.

10 Q But the same zero students participate in LEA  
11 extracurricular activities would apply to Dalton as well?

12 A Yeah.

13 Q And do you think it's a similar number this  
14 year?

15 A I'm trying to think if I got any. It's  
16 probably similar, but I can't think of any.

17 Q Do you have a space at Dalton that you utilize  
18 for de-escalation?

19 A So again, we have sensory rooms. We do have  
20 rooms that are kind of just open rooms where kids can go  
21 if they need some time to de-escalate and get away from  
22 other students to calm down.

23 Q So do you have a calming room at Dalton?

24 A Again, it's just an open classroom, you know,  
25 that doesn't have a lot in it. So if they need to go in

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1 and pace or use a strategy to calm down, they can go to  
2 that area to utilize that.

3 Q Do you have any sensory rooms at Dalton?

4 A We do.

5 Q Can you describe those rooms.

6 A So it's a calming sensory room, and so there's  
7 typical bubble lights and ceiling lighting and beanbags  
8 and comfortable crash pads and things that they can -- we  
9 have a rocker in there for kids who have more sensory  
10 needs from that perspective.

11 Q Is there padding on the walls?

12 A No. I'm trying to think around -- I guess  
13 around the bubble tube, I think there is some padding  
14 around there just for safety purposes, but...

15 Q And are there any seclusion rooms at Dalton?

16 A No.

17 Q And going back to Pickens, you said that there  
18 were calming rooms and sensory rooms, correct?

19 A Correct.

20 Q Can you describe those rooms.

21 A So again, the same -- so there we have an  
22 active sensory room and a calming sensory room, so the  
23 calming sensory room would be very much like the one I  
24 described in -- in Dalton where it's -- we've got a crash  
25 pad in there. We do have some sensory things on the wall

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1 that kids can manipulate for sensory experiences. There  
2 is a bubble tube in that room, I think a beanbag,  
3 alternative lighting, that kind of thing for -- so it's  
4 more of a calming area.

5 And then we have an active sensory room.  
6 It's -- it has kind of a punching thing they can do. It  
7 has the ropes that they can use (indicating) to kind of  
8 if they need to do something more active to kind of get  
9 their energy out and to work out their feelings. It's  
10 almost a circuit that they have in that room that they  
11 can go through and use those activities.

12 Q Are there any other rooms at Pickens outside of  
13 the calming and active sensory rooms?

14 A Again, there are spaces where sometimes they  
15 can just go where there is just more open spaces or just  
16 a place to go sit and calm down if they need a quiet  
17 place to be.

18 Q Back to Dalton, are there any spaces that were  
19 previously used as seclusion rooms?

20 A I don't believe so.

21 Q And does the Dalton Center have students who  
22 take Milestones assessment?

23 A (No oral response.)

24 Q Sorry?

25 A Yes.

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1 Q And is there a maximum number of students  
2 allowed in each Milestones class at Dalton?

3 A Again, I think any of those ratios would be  
4 more above what our classroom sizes are.

5 Q And are there any GAA students at Dalton?

6 A There are.

7 Q How many?

8 A I don't know the actual number right at the  
9 moment. It would be a handful.

10 Q And are -- is there a GAA specific classroom,  
11 or are they integrated with Milestone classrooms?

12 A They are integrated.

13 MS. CHEVRIER: I'm going to ask the court  
14 reporter to please mark the following as Plaintiff's  
15 Exhibit 860.

16 (Plaintiff's Exhibit 860 was marked for  
17 identification.)

18 Q BY MS. CHEVRIER: This is Bates number  
19 GA00064879. This is an e-mail between you, Dr. Neal, and  
20 Nakeba Rahming from September 18th and 19th, 2016,  
21 correct?

22 A Correct.

23 Q Do you recognize this e-mail?

24 A Yes.

25 Q Let's look at the first e-mail from you to



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1     Nakeba Rahming. Do you see where you wrote, "Are there  
2     any restrictions on the number of grades that can be  
3     served in one classroom? I know there used to be a  
4     recommendation for no more than three, but I don't know  
5     how much force that recommendation had behind it"?

6             A     Correct.

7             Q     Why did you ask about the number of grades in  
8     one class?

9             A     Obviously, I was trying to make sure we were  
10    staying within recommendations.

11            Q     Do you see where Nakeba Rahming responded in  
12    the next e-mail saying, "The recommendation for grade  
13    span is no more than three"?

14            A     Correct.

15            Q     What is your understanding of the force behind  
16    this recommendation now?

17            A     I think it's still a best practice. You know,  
18    obviously, I don't -- there is not -- again, we still  
19    have, you know, K-5 classrooms in some cases and those  
20    kind of things, so there's not been prohibitions against  
21    classrooms like that, but it's just best practice, I  
22    think, to try to keep those grade spans down as much as  
23    possible.

24            Q     Why do you think there is a suggested limit of  
25    three grades in one classroom?

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1           A    So we don't drive our teachers crazy with as  
2   many differentiations as -- you know, it's just tougher  
3   the more grade levels you have and the more  
4   differentiations you have to do with kids who need a lot  
5   of individualized instruction. It's just I can see  
6   advantages best practice-wise.

7           Q    Does NorthStar follow this --

8           MR. BEDARD: Object to form on that previous  
9   question.

10          Q    BY MS. CHEVRIER: Does NorthStar follow this  
11   suggestion to keep it to a maximum of three grade levels  
12   per classroom?

13          A    As much as possible. Occasionally we go beyond  
14   that, but in most of my sites now we have K-2, 3-5  
15   classrooms to try to handle that K-5 issue. That's  
16   toughest at my Fannin site where I'm all spread out. You  
17   know, it's harder to sometimes make those things happen.

18          Q    Do elementary school students interact with  
19   middle school students at Pickens Jasper?

20          A    Uh-huh. Yes, they do.

21          Q    And how about high school-aged students?

22          A    Yes.

23          Q    And do middle school students interact with  
24   high school students?

25          A    Yes. We do it intentionally at that site. So

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1 we use a framework developed at The Ron Clark Academy in  
2 terms of we've got tribes developed that are inner level  
3 tribes. A lot of our kids have tremendous strengths in  
4 terms of they've had to parent younger siblings and those  
5 kinds of things, and so our tribes are cross-level, and  
6 so our older kids can coach our younger kids and have  
7 that interaction and gain a lot of accolades for the  
8 skills that they do have in terms of interacting and kind  
9 of coaching those younger students and providing support.

10 And so it's been a very effective strategy for  
11 us in terms of motivating positive behavior and improving  
12 climate and building on kids' strengths.

13 Q Do students of all ages ride the same school  
14 bus to NorthStar locations?

15 A Yes, I would say generally.

16 Q Do students typically ride the bus with  
17 nondisabled peers?

18 A Sometimes.

19 Q Are there specific NorthStar sites where that's  
20 more common?

21 A It really depends on the individual county.  
22 Most of the time the students -- I'm trying to think --  
23 are coming from -- you know, it depends on who is in the  
24 region where the bus is kind of coming from. You know,  
25 so each transportation department has to kind of figure

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1 out the most effective way to get the student to the  
2 site. Many of our students do require special education  
3 transportation, but some of them do have typical, you  
4 know, non-special education transportation.

5 Q Are students in the same classroom with the  
6 same teacher for the whole day in elementary school at  
7 NorthStar?

8 A Generally our classrooms tend to be with the  
9 same teacher most of the day.

10 Q What about in middle school?

11 A And that's pretty true for -- again, except for  
12 those kids who were transitioning, you know, they could  
13 have multiple teachers. Again, sometimes we set up  
14 generalization activities within the building, so  
15 students can get instruction from multiple people in  
16 multiple places if we're trying to build those -- if they  
17 have mastered skills with their teacher, we sometimes  
18 will have a student take a class or multiple classes from  
19 another teacher in order to build those generalization  
20 activities and experiences.

21 Q But typically, are students at both the  
22 elementary and middle school level at NorthStar in the  
23 same classroom with the same teacher all day?

24 A Most of the students, yeah.

25 Q And is that true for high school as well at

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1 NorthStar?

2 A So in my center-based locations, that is most  
3 of the time partly just because I have one high school  
4 teacher at those locations. My Fannin County they often  
5 have multiple teachers. I mean, they can be with us all  
6 day, but they also have classes out in the main building.

7 Q And is that because -- that was my question.  
8 Is that because they have segments in the main building?

9 A Yes.

10 Q But there is only one high school NorthStar  
11 teacher at Fannin High School?

12 A Technically. This year I have two half-time  
13 teachers job sharing, but yes, one position.

14 Q So do students get half the day with one of  
15 those teachers and half the day with the other?

16 A Yes, generally.

17 Q Does online instruction play a role in  
18 curriculum for elementary school students at Pickens?

19 A So we do have some individualized learning  
20 platforms that we use for -- primarily for mediation-type  
21 activities that are at their instructional level and not  
22 their grade level.

23 Q Is that true also for Dalton?

24 A For all my sites, yes.

25 Q What percentage of your elementary school

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1 students receive instruction online?

2 A So all of my students who are functioning below  
3 grade level participate in the remedial reading and math  
4 individualized learning platform.

5 Q Is there a difference between how frequently  
6 online instruction is used for GAA students versus  
7 Milestone students?

8 A Again, for GAA students, that we're primarily  
9 using things like unique learning. That's not so much  
10 for the student as it is helping the teacher. I mean, it  
11 does have some learning experiences for the student, but  
12 it's a lot in developing materials and those kind of  
13 things and lesson plans and those kind of things for the  
14 individual student. So it's very variable with our GAA  
15 students in terms of how they respond to technology and  
16 can manipulate technology and those kind of things. And  
17 we are often using a lot of -- we do use some online  
18 learning platforms for those types of activities, but  
19 there is a wide variety of activities that we use. I  
20 would say it's not like for our high school classes where  
21 they are taking a whole course maybe online.

22 Q Are there any requirements about the amount of  
23 instruction that can be delivered online?

24 A We don't have a specific number. There are for  
25 certain programs, the amounts of time that students are

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1 to use the program in order to use the program with  
2 Fidelity. So for one example, the State Department of  
3 Education is encouraging us to use the i-Ready program  
4 for reading and math remediation. That program  
5 recommends 20 minutes each week for reading and 20  
6 minutes for math. And so, of course, we try to meet  
7 those expectations so we can get the results that have  
8 been researched based, you know, in terms of what the  
9 program can provide.

10 Q What is the name of the remedial reading and  
11 math platform used at the elementary school level?

12 A It's i-Ready, but we use others as well.

13 Q What are the others?

14 A So we use programs like IXL which work on  
15 specific skills where kids might have weaknesses. We've  
16 in the past used other programs. Like for kids who have  
17 math fluency issues, we've used a program called Reflex.  
18 So it generally depends on the skill we are trying to  
19 build and, you know, the program that we feel can help us  
20 to build that skill most effectively.

21 Q Are there any students who receive gifted  
22 services at Pickens or Dalton?

23 A Not currently.

24 Q Are any students at NorthStar screened for  
25 gifted services?

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1           A    They could be if it was appropriate, you know,  
2   if we had a student in the -- it looked like they had  
3   that propensity.

4           Q    In your time as director, has there been any  
5   student who you have had screened for gifted?

6           A    I've got one or two that I have reintegrated  
7   back into their local schools who had that designation.

8           Q    Did they receive gifted services while at  
9   NorthStar?

10          A    I think they were assessed and identified at  
11   that time, but we were in the process of reintegrating,  
12   too, so I think by the time they accessed the services  
13   they were back at their home school.

14          Q    Is there a yearbook at Pickens Center?

15          A    We take a lot of -- there's a lot of photos  
16   but -- that are shared with families, but no official  
17   yearbook, no.

18          Q    What about at Dalton?

19          A    No.

20          Q    Do students have school pictures taken?

21          A    Uh-huh.

22          Q    At both Pickens and Dalton?

23          A    It's been a little variable, you know, in terms  
24   of -- I know my Fannin kids have participated in that.  
25   My Pickens kids have. Less often at Dalton.



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1 Q And you say they have, is it an option they can  
2 opt into or --

3 A Typically we're included.

4 Q Included by who?

5 A The Fannin County School System or the Pickens  
6 County School System.

7 Q And less frequently at Dalton?

8 A Correct.

9 Q Do students at Pickens go on field trips?

10 A Yes.

11 Q How frequently?

12 A It varies by the year. They are scheduled by  
13 us and organized by us, and so, obviously, COVID put a  
14 hitch in all of that for quite a while, so I think we  
15 only had one or two last year. But we try to do -- we  
16 try to do two or three every year.

17 Q Is that also true for Dalton?

18 A Yes.

19 Q Two or three every year?

20 A Yeah.

21 Q And does Pickens have school dances?

22 A They do.

23 Q How frequently?

24 A So we don't have them internally, but like our  
25 kids have participated in prom or went to homecoming or

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1 those kinds of things.

2 Q And do they go to the dances at their local  
3 home school?

4 A Yes.

5 Q Okay. And is that true for Dalton as well?

6 A At Dalton we -- we've done things internally,  
7 so we've had dances within the building. We've also had  
8 kids access, like I said, prom or those kinds of things  
9 where we've actually went with a student and chaperoned  
10 and...

11 Q How frequently does Dalton have its own  
12 internal school dances?

13 A It's kind of variable. You know, every year we  
14 plan activities, and some years that's been one of the  
15 things the staff wanted to plan.

16 MS. CHEVRIER: I think this is a good moment to  
17 pause.

18 THE VIDEOGRAPHER: Going off the video record  
19 at 4:43 p.m.

20 (The deposition was at recess from 4:43 p.m. to  
21 4:54 p.m.)

22 THE VIDEOGRAPHER: We are back on the video  
23 record at 4:54 p.m.

24 Q BY MS. CHEVRIER: Let's talk about the Fannin  
25 schools specifically.

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1 A Okay.

2 Q Am I correct that East Fannin Elementary School  
3 is owned by Fannin County Schools?

4 A Yes, it is.

5 Q Approximately when was it built?

6 A I don't have that date on the top of my head,  
7 but I think I wrote it on the facility map that I sent  
8 in.

9 Q How is assignment to classrooms decided at  
10 Fannin Elementary School?

11 A I believe that our current location, it was a  
12 collaborative discussion between the building principal,  
13 special education, and myself.

14 Q And what about specific classes within Fannin  
15 Elementary School? I guess, how many different  
16 classrooms are there at Fannin Elementary School  
17 currently in the -- in the NorthStar GNETS program?

18 A Oh, we just have one.

19 Q Okay. And is that the one -- is it currently a  
20 K through 5 class, or is that the most that's been in  
21 that class?

22 A I mean, we can serve any students in that grade  
23 band. I don't have a student in every grade level there.  
24 I have primarily -- I think I have -- you know, I have  
25 fifth graders and second and third graders primarily in

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1 there right now.

2 Q Are there any GAA students at NorthStar --

3 A No.

4 Q -- East Fannin Elementary?

5 Where are the GNETS school-based classrooms at  
6 East Fannin Elementary located physically in the school?

7 A We're in a classroom that's kind of in the  
8 front of the building.

9 Q Are there other classrooms around that  
10 classroom?

11 A Not directly.

12 Q So what surrounds that classroom?

13 A So it's right near the front entrance.

14 Q Are --

15 A Our administrative offices and that kind of  
16 thing, library.

17 Q Are any GNETS classes held in trailers or  
18 mobile units at East Fannin Elementary?

19 A No.

20 Q Were they in the past?

21 A They were.

22 Q How recently?

23 A Three years ago, maybe.

24 Q Do students in the GNETS school-based classroom  
25 at East Fannin Elementary School have the opportunity to

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1 attend segments of the day with their nondisabled peers?

2 A They do.

3 Q Do any currently?

4 A Yeah. I think I have two or three going out  
5 for specials right now.

6 Q They just go out for specials. Do they go out  
7 for any other courses?

8 A I think we've started the reintegration process  
9 with both of those students in their special classes, but  
10 they could -- it could be an academic at some point, but  
11 we just chose those classes because we thought that was  
12 their strength areas initially.

13 Q Do East Fannin Elementary School NorthStar  
14 students have PE?

15 A We -- no, generally.

16 Q Do they have music?

17 A Like I said, we have participated in like the  
18 White Christmas activities and some of those music-type  
19 activities, but not on an ongoing basis.

20 Q And not during the --

21 A Well --

22 Q -- school day?

23 A And again, I would say for each student we  
24 choose who is taking those classes out. We choose the  
25 special that we think they are most oriented towards. So

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1 I do believe I have at least one of those couple of  
2 students that are going out that is taking music, so...

3 Q Okay. But music isn't technically -- isn't  
4 provided for all NorthStar students at East Fannin  
5 Elementary School?

6 A Yes.

7 Q And is the same true about art?

8 A Correct.

9 Q So there is an art for all East Fannin  
10 Elementary School NorthStar students?

11 A Correct. So again, we choose the special that  
12 we think they are going to be more successful in given  
13 their likes and dislikes and orientation.

14 Q So if it's a student who is doing segments out,  
15 they might receive art?

16 A Correct.

17 Q Do you -- do students receive GNETS services at  
18 East Fannin Elementary School -- do students who receive  
19 GNETS services at East Fannin Elementary School ride the  
20 bus with their nondisabled peers?

21 A Some of them. Some of them are on special  
22 education buses and some of them at least have part of  
23 their route that's with general education peers.

24 Q And do students at East Fannin Elementary  
25 School in NorthStar use the same entrance as their

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1 nondisabled peers?

2 A The classroom is technically outside the  
3 entrance, but for entering the school they use the same  
4 entrance.

5 Q Is there a metal detector at East Fannin  
6 Elementary School?

7 A No.

8 Q Are students at East Fannin Elementary School  
9 wanded when they come in?

10 A Not traditionally.

11 Q Are NorthStar students wanded?

12 A As needed. We don't do it as in the normal  
13 part of the process like we do at our center-based sites.

14 Q Are there any other safety-based protocols when  
15 students enter the school?

16 A Only as a -- it's required by a safety plan.  
17 Again, if we have terroristic threats or those kind of  
18 things, a safety plan can be put in place.

19 Q Do students who receive GNETS services at East  
20 Fannin Elementary School eat in the cafeteria?

21 A Generally they choose not to.

22 Q And do they have the opportunity to play on a  
23 playground?

24 A They do.

25 Q Do they play on the playground with nondisabled

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1 peers?

2 A Sometimes. Not always, but sometimes.

3 Q Is it the same thing we discussed previously,  
4 that they could if they happen to be there at the same  
5 time?

6 A Correct.

7 Q But it's not scheduled?

8 A Correct.

9 Q And do students at East Fannin Elementary  
10 School in the NorthStar program have the opportunity to  
11 visit the library?

12 A They do.

13 Q Is it scheduled?

14 A The teacher controls access.

15 Q So how frequently can vary?

16 A Uh-huh. It can. She goes fairly regularly.

17 Q Okay. And are they able to visit the library  
18 at the same time as nondisabled peers?

19 A Sure.

20 Q Does that happen by design or by happenstance?

21 A I think she -- more happenstance. I don't  
22 think there's a schedule, per se.

23 Q Do NorthStar GNETS students at East Fannin  
24 Elementary School participate in extracurricular  
25 activities?



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1           A    They have the ability to ask for those kind of  
2 things if they are interested, but we don't have a lot of  
3 students doing that at the moment. We do have some  
4 students in community-based sporting activities and those  
5 kind of things, but they are not school related  
6 necessarily.

7           Q    And so those same zero students participated in  
8 extracurricular activities with their LEA from the grant  
9 report would apply to Fannin locations as well?

10          A    Correct.

11          Q    And you think it's a similar number this year?

12          A    Yeah. Like in terms of school-based extra --  
13 now, again, at the elementary level there is not a lot of  
14 school-based extracurriculars. But certainly, like I  
15 said, I can think of a couple of kids that are playing  
16 community football and baseball and those kind of things  
17 but not necessarily related to the school.

18          Q    And do NorthStar students at Fannin -- at East  
19 Fannin Elementary School have field trips?

20          A    They do.

21          Q    How frequently?

22          A    A little less often in Fannin, but again, I  
23 would say probably once a year we do field trips up  
24 there.

25          Q    What about field day?

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1 A We have not traditionally participated in that.

2 Q Does East Fannin Elementary School have a field  
3 day?

4 A I was trying to think of -- I don't remember  
5 that being an activity that they have offered.

6 Q Okay.

7 A But I couldn't swear to that 100 percent.

8 Q Are students who receive GNETS services at East  
9 Fannin Elementary School in yearbook -- in the yearbook?  
10 Sorry.

11 A I don't believe so. I could be wrong on that  
12 because they do do school pictures, but I have never seen  
13 one of their yearbooks, so I can't speak to that.

14 Q Does East Fannin Elementary School have any  
15 space designated for de-escalation?

16 A They do have a calming room.

17 Q Can you describe that calming room?

18 A It's just a room with -- that doesn't have a  
19 lot of stuff in it where kids can go to take space. We  
20 usually have a beanbag in there and a place kids can go  
21 and chill out, sometimes some sensory equipment in there.

22 Q Are the walls padded?

23 A No.

24 Q Are there any other rooms designated for  
25 de-escalation at East Fannin Elementary School?

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1           A    Within the building I'm not sure if they have  
2 sensory areas or those kind of things.

3           Q    Can NorthStar students go into that calming  
4 room that you described?

5           A    Yes.

6           Q    Do nondisabled peers go into that calming room?

7           A    The calming room I'm talking about is kind of  
8 within the classroom.

9           Q    Okay.

10          A    So it's classroom space.

11          Q    So it's specific for NorthStar?

12          A    Right.

13               And then we have -- I typically have a corner,  
14 too, where kids can go where there is just a beanbag to  
15 take some self-control time if they need.

16          Q    Does online instruction play a role in the  
17 curriculum at East Fannin Elementary School for NorthStar  
18 students?

19          A    Kind of in the same way I have kind of  
20 discussed before, for kind of individualized instruction,  
21 especially in remedial areas primarily.

22          Q    What percentage of students receive that online  
23 instruction at NorthStar East Fannin Elementary School?

24          A    I would say in that classroom almost all of my  
25 students are functioning below grade level, so they would

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1 have some of those remedial activities and would be  
2 appropriate.

3 Q Are any students, I will ask at any of the  
4 Fannin locations, receiving gifted services?

5 A Not that I am aware of.

6 Q Have any been screened for gifted services?

7 A Not that I am aware of.

8 Q Let's talk about Fannin County Middle School.

9 A Okay.

10 Q And I will just say Fannin Middle.

11 A That's fine.

12 Q Am I correct that Fannin Middle is owned by  
13 Fannin County Schools?

14 A Yes.

15 Q Approximately when was it built?

16 A Again, it would be on the plat, but I don't  
17 recall that information.

18 Q And how many classrooms are -- how many  
19 NorthStar classrooms are there at Fannin Middle?

20 A Just one.

21 Q And are there any GAA students at Fannin Middle  
22 in NorthStar?

23 A No. I think she's -- they are all Milestones.

24 Q Where are the GNETS school-based classrooms at  
25 Fannin Middle physically located?

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1           A    They are in a trailer. There is usually two  
2 trailers typically.

3           Q    And so they -- the students do not receive  
4 their education in the brick-and-mortar building?

5           A    Correct.

6           Q    Do students at the -- at Fannin Middle in  
7 NorthStar have the opportunity to attend segments of the  
8 day with their nondisabled peers?

9           A    They do as part of their transition program.

10          Q    If they are not transitioning, do they have the  
11 opportunity to?

12          A    Again, we've got a couple of kids going out for  
13 specials. We try to get them integrated in those  
14 classrooms.

15          Q    Do NorthStar students at Fannin Middle have  
16 access to PE?

17          A    That could be one of the specials that they  
18 have access to.

19          Q    Okay. If they are not transitioning, do they  
20 have access to PE?

21          A    Again, we try to get them scheduled into those  
22 classrooms as quickly as possible, but we do have at  
23 least one that I'm thinking of that's not accessing right  
24 at the moment.

25          Q    What about for music?

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1           A    Again, we choose the special based on what we  
2   think their -- where their affinities are.

3           Q    So -- sorry.

4           A    So it could be music. It could be if they have  
5   computer classes, they have STEM classes. And so I think  
6   right now we're in STEM and art, are the ones we are  
7   accessing the most right now because that's just where  
8   our kids' interest areas are.

9           Q    Is it fair to say that students at NorthStar  
10   Fannin Middle do not typically have PE or music or art  
11   classes unless that's the specific special area that they  
12   are having with their nondisabled peers as part of  
13   transition?

14          A    Right. So it's a scheduling issue in terms  
15   of -- again, we usually sit down with the school. We try  
16   to make sure those experiences are successful  
17   experiences, so we try to make sure it's in an area where  
18   the student is likely to enjoy it and experience success,  
19   and so it's pretty carefully chosen in terms of how we  
20   integrate them into those activities.

21          Q    Do students at NorthStar Fannin Middle ride the  
22   bus with their nondisabled peers?

23          A    Again, so some of my Gilmer County students,  
24   again, have a connecting route, and so part of that  
25   transportation could be on a regular education bus. And

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1 again, even my Fannin County kids that could be true. So  
2 just depending what's in their IEP in terms of what they  
3 require, whether they require regular education or  
4 special education transportation.

5 Q So I know that the students at NorthStar Fannin  
6 Middle receive their education in trailers. Do they have  
7 to enter the school in order to get to those trailers?

8 A Not necessarily.

9 Q So do they enter -- I guess, do they just go  
10 into the trailers straight from --

11 A Generally the buses drop them at the trailers.

12 Q Okay.

13 A Yeah.

14 Q Do the buses drop everyone at the trailers and  
15 then other students --

16 A It's all in the same area right there.

17 Q So nondisabled peers get dropped by the  
18 trailers but then walk to the front entrance?

19 A Correct. So there's a -- essentially the  
20 trailer is in the front of the school as well, and  
21 there's a sidewalk where all the buses pull up and drop,  
22 and so it's contiguous to both the front entrance as well  
23 as our entries.

24 Q Gotcha. So NorthStar students go to the  
25 trailers, and nondisabled peers --

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1 A Yes.

2 Q -- or general education students go to the  
3 brick-and-mortar building?

4 A Correct.

5 Q Is there a metal detector for the NorthStar  
6 students at Fannin Middle?

7 A No.

8 Q Is there any other safety protocol?

9 A Again, unless there is a particular reason, no.

10 Q Do students at NorthStar Fannin Middle eat in  
11 the cafeteria?

12 A We have in the past. Right now I've got some  
13 pretty high-anxiety kids who choose to eat in the  
14 trailers, so...

15 Q So do some students still eat in the cafeteria?

16 A Not right at the moment.

17 Q And so the food is just brought to them?

18 A Well, they go get their food from the  
19 cafeteria, and so we try to -- again, that's the  
20 situations where we are trying to increase their  
21 tolerance for dealing with crowds and people, and so,  
22 again, it's kind of dependent on the individual student  
23 what they can tolerate.

24 Q Is there a playground at Fannin Middle?

25 A There's a ball field. Again, it's middle



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1 school students, so they are not as much into the jungle  
2 gyms and stuff, but there is a -- a ball field that we go  
3 and use, and there's a gym where they can...

4 Q And do NorthStar Fannin Middle school students  
5 participate with that ball court?

6 A The field, yeah.

7 Q Yeah, ball field.

8 A They can access that regularly and sometimes  
9 when the regular education peers are out there.

10 Q And is it scheduled that they have that time  
11 with nondisabled peers or is it happenstance?

12 A We kind of generally have a time that we go out  
13 there and access it, which administration is aware of,  
14 but Fannin County doesn't schedule that. They just know  
15 the time we are going out, if that makes sense.

16 Q Gotcha. So sometimes they are there and  
17 sometimes they are not?

18 A Right. It just depends. And it kind of varied  
19 throughout the years in terms of their scheduling and  
20 when kids are out there. So I know last year there was  
21 overlap, and we had interaction for part of that time.

22 Q Is there a library at Fannin Middle?

23 A There is.

24 Q And are NorthStar students at Fannin Middle  
25 able to access the library?

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1 A Yes, they are.

2 Q And do they do so at the same time as  
3 nondisabled peers?

4 A Yeah. It's not scheduled but, you know, as  
5 their teachers, our teachers have the freedom to access  
6 that at any point.

7 Q And do students -- do NorthStar students at  
8 Fannin Middle have the opportunity to participate in  
9 extracurricular activities?

10 A Again, if they have interests, we can always  
11 discuss that within the IEP committee.

12 Q But the same zero applies to the Fannin schools  
13 as well?

14 A Exactly. I'm trying to think of any, but I  
15 don't -- I don't think at the middle school level we have  
16 any way of participating at this moment.

17 Q Are there field trips at Fannin Middle School  
18 for GNETS students?

19 A Again, traditionally there has been that  
20 slowdown since COVID, so I don't believe we had any last  
21 year, but we usually try to have a motivational kind of  
22 field trip or an educational-based field trip at least  
23 once a year.

24 Q What about field day?

25 A I don't. I'm not aware that they do a field

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1 day.

2 Q Are NorthStar students at Fannin Middle in the  
3 school yearbook?

4 A I don't believe so.

5 Q Does Fannin Middle School have any space  
6 designated for de-escalation?

7 A I really don't know within the building what  
8 they have, but are you just talking our facility?

9 Q Yeah.

10 A We just have a -- another space, another -- we  
11 have two sides -- you know, we have two trailers,  
12 essentially, so if students need space and time, they can  
13 go to the other side where the instruction is not  
14 happening.

15 Q That was my next question. So there is one  
16 class but two trailers. So how --

17 A Yes, so we --

18 Q -- is that used?

19 A We just have space if we need to divide kids  
20 for different kinds of instruction since we do so much  
21 individualized instruction. Sometimes that's helpful.  
22 Therapeutic staff need to do individual work with a kid,  
23 that they can pull the kid to the other side of the  
24 trailer if we need to do de-escalation. So it's used in  
25 a variety of different ways.

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1 Q And how many teachers are there for Fannin  
2 Middle at NorthStar -- for NorthStar?

3 A Just one teacher.

4 Q Okay. So when they are split up for  
5 educational reasons, they would be with a para pro or --

6 A Correct. If it's clinical, it could be a  
7 clinical staff. I might be present for some of those  
8 activities, so it just depends on what the activity is  
9 and what the purpose is.

10 Q Does online instruction play a role in the  
11 curriculum at Fannin Middle for NorthStar students?

12 A The same kind of way we've discussed before.

13 Q And what percentage of students at NorthStar  
14 Fannin Middle receive online instruction?

15 A Again, it's not the primary platform, but all  
16 of our students access those kind of individualized  
17 learning platforms, remedial-type activities and some  
18 skill-based.

19 (Court reporter clarification.)

20 Q BY MS. CHEVRIER: I -- let's talk about Fannin  
21 High School.

22 A Okay.

23 Q And I'll just say Fannin High.

24 A Okay.

25 Q Am I correct that NorthStar -- that -- sorry.

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1 Am I correct that Fannin High School is owned by Fannin  
2 County Schools?

3 A Yes.

4 Q And you don't know when it's -- it was  
5 approximately built?

6 A Again, I remember writing that on the forms,  
7 but I don't remember off the top of my head.

8 Q Where is the classroom? Is it -- sorry, how  
9 many classrooms are there for NorthStar at Fannin High?

10 A Just one.

11 Q And where is that classroom located in the  
12 building?

13 A We are in -- there is several buildings on that  
14 campus, so we are just in one of those buildings. It's  
15 kind of towards the -- the back of the campus, kind of  
16 near the cafeteria.

17 Q What else is in that building?

18 A There's a couple other regular education  
19 classrooms in that building.

20 Q And are they currently occupied by regular  
21 classrooms?

22 A Yes.

23 Q And how did you receive guidance on the  
24 classroom assignment, which classroom you would get?

25 A I mean, that classroom has been in that

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1 location since I've been director, so...

2 Q And are there any GAA students at Fannin High  
3 in NorthStar?

4 A I'm thinking of my kiddos up there. Not at  
5 this time, I don't believe.

6 Q Are there any trailers that are used by  
7 NorthStar students at Fannin High?

8 A No.

9 Q And do NorthStar students at Fannin High School  
10 have the opportunity to attend segments of the day with  
11 nondisabled peers?

12 A Yes. Again, it's dependent on the IEP and what  
13 kind of services they require, but a number of our  
14 students access classes outside of our classroom.

15 Q Outside of students who are transitioning, do  
16 NorthStar Fannin High students regularly have specials?

17 A Again, it's -- at the high school, it's totally  
18 dependent on the courses they require for graduation.

19 Q So is there a physical education option?

20 A So they have to have health and PE as one of  
21 those courses at the high school level. They also have  
22 to have something that we call in Georgia the CTAE  
23 classes, which is more the career readiness kind of  
24 classrooms. And so that can be everything from  
25 technology to agriculture to home living. I'm trying to

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1 think of all the other ones they offer.

2 So there's different ones depending on the  
3 pathway that the student selects, then they can access  
4 courses in that pathway.

5 Q Are those offered online or in person?

6 A Sometimes there is both options. It depends on  
7 the pathway in terms of what's offered.

8 Q Do NorthStar Fannin High students ride the bus  
9 with their nondisabled peers?

10 A Again, it depends on what's on their IEP.

11 Q Do NorthStar Fannin High students enter the  
12 same entrance as nondisabled peers to get into the school  
13 building?

14 A So they are dropped off, again, in a drop-off  
15 area. So students generally go to the appropriate  
16 building where their classes are going to be. So some  
17 come to our building; some go in a different building.

18 Q So there is some nondisabled peers who attend  
19 the gen ed school -- gen ed classrooms in the same  
20 building, and they would enter through the same  
21 location --

22 A Correct.

23 Q -- that the NorthStar students enter?

24 A Correct.

25 Q Is there a metal detector at -- for Fannin High

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1 NorthStar students?

2 A No.

3 Q Is there any other protocol for safety?

4 A Again, if there's a safety plan in place there  
5 are also school resource officers that, again, as part of  
6 a safety plan, might be involved in a situation like  
7 that.

8 Q Do students -- do NorthStar Fannin High  
9 students eat in the cafeteria?

10 A They have. Again, that's an option for some  
11 students. Again, we have a lot of students with very  
12 high anxiety that get very overwhelmed in that situation,  
13 so they often choose to have lunch with us.

14 Q Are there currently some students at NorthStar  
15 Fannin High that eat in the cafeteria?

16 A There are a couple.

17 Q Do they eat at the same time as their  
18 nondisabled peers?

19 A They do.

20 Q And do students who receive GNETS services at  
21 Fannin High have the opportunity to go to the gym at the  
22 same time as their nondisabled peers?

23 A If that's part of their coursework and that's  
24 been the appropriate location that's been decided.  
25 Again, that's decided by the IEP team when they decide



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1 what level of support the student requires and what type  
2 of instruction they are going to be most successful with.

3 Q And is there a library at Fannin High?

4 A There is.

5 Q And are NorthStar Fannin High students able to  
6 attend classes in the library?

7 A They are.

8 Q And does that happen with nondisabled peers?

9 A Yes.

10 Q Always or sometimes?

11 A Again, I think our kids can access the library  
12 like any other student, and it's not scheduled times,  
13 per se, but it's as they need to for their different  
14 academic tasks or to accomplish or if they just -- I know  
15 we have some students that just like to read, and so they  
16 will check books out.

17 Q And do students at Fannin -- at NorthStar  
18 Fannin High have the opportunity to participate in  
19 extracurricular activities?

20 A Again, that would be an option if they were  
21 interested, and so we have had students in the past that  
22 have been on the wrestling team, or I'm trying to think  
23 of the most common ones. Again, that's one of the  
24 situations where a student is participating in FFA or  
25 those activities.

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1 Q And they would then -- so if they chose that  
2 option, they would participate in the wrestling team, for  
3 example, at Fannin High School?

4 A They would have the same expectations  
5 behaviorally, you know, to be maintained in those  
6 activities. So as long as their behavior is at a level  
7 that they can participate successful, they would be  
8 allowed to participate.

9 Q But at least for FY '22 grant report, there  
10 were zero students participating in extracurriculars?

11 A For that year, probably.

12 Q And it's a similar number this year?

13 A Again, we have staffed out the student that was  
14 on the wrestling team. I think I've got one that's doing  
15 FFA right now.

16 Q Are NorthStar Fannin High students in the  
17 yearbook?

18 A I don't believe so.

19 Q And does Fannin High School have a space  
20 designated for de-escalation?

21 A No. No. Let me correct. Fannin High School  
22 has a sensory room towards the front of the building. We  
23 could access that, but our students traditionally have  
24 not.

25 Q Can you describe that room.

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1           A    It's just a big room.  It's got sensory  
2   equipment in it, so I'm trying to think of things they  
3   have in there.  They have, again, some alternative  
4   seating, rocking kinds of options.  They have, I think,  
5   corners with beanbags with different kind of texture  
6   stuff for kids who might require that kind of  
7   stimulation, but alternative lighting kinds of options in  
8   that room.

9           So there's a number of different.  It's a  
10  pretty big room.  They've got a number of different  
11  things in there.

12          Q    And does online instruction play a role in the  
13  curriculum at Fannin High School for NorthStar students?

14          A    It does.

15          Q    Does it play a larger role than what we've  
16  previously discussed because of -- because of the nature  
17  of all the different high school requirements that are  
18  needed for graduation?

19          A    Definitely.  So we definitely try to, as much  
20  as possible, get kids out.  You know, so if kids are  
21  requiring small group instruction and we have not been  
22  successful in integrating them into a class out in the  
23  main building because of the nature of their behavioral  
24  difficulties, then -- and we don't have a teacher that's  
25  certified to teach that content area, then online

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1 instruction is an option.

2 Q Does -- and are there any students receiving  
3 gifted services at Fannin High School in NorthStar?

4 A Not at this time.

5 Q Have there been previously?

6 A I'm trying to think at Fannin if I've had any.  
7 I don't think so.

8 Q Does NorthStar use restraint on students?

9 A In safety situations where imminent danger is  
10 present.

11 Q And are there restrictions on the use of  
12 restraint?

13 A Yes.

14 Q What are they?

15 A We have guidelines from the State Department of  
16 Education.

17 Q And that's a Georgia State Department of  
18 Education?

19 A Yes.

20 Q And what are those guidelines?

21 A It's a several-page document, so there are a  
22 lot of them. But in my grant application we have  
23 uploaded our NorthStar policy which dovetails to that  
24 policy. So again, it's primarily around -- you know,  
25 restraint is a last resort used in cases where imminent

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1 danger or safety of others, to the student themselves, or  
2 other students is a condition; limitations and the type  
3 of procedures that we can use, as well as length and  
4 duration of procedures and those kind of things, safety  
5 procedures that need to be in place if those kinds of  
6 interventions are used. So there's a number of different  
7 things on the policy.

8 Q Are there limitations on who can restrain?

9 A You have to be trained annually.

10 Q Trained in what?

11 A We use a program called MindSet, is our  
12 de-escalation program, which is what we trained our staff  
13 in.

14 Q Are there any like positional limitations for  
15 who can restrain? So can paraprofessionals or teacher  
16 aides restrain students?

17 A We train all of our staff. Now, I do have a  
18 couple of staff who just have physical limitations who,  
19 in any situation like that, there are multiple roles that  
20 the team can play, and so we would target people towards  
21 their strengths in terms of if there is some kind of  
22 physical limitation. And obviously, we have limitations  
23 in our policy that say, for instance, no one should be  
24 restraining someone who is a lot larger than themselves  
25 or can't be restrained safely or those kinds of things,

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1 so...

2 Q What is the MindSet Curriculum?

3 A So the MindSet Curriculum is a safety  
4 management program that's been used within the network  
5 for as long as I have been here. Well, I shouldn't  
6 say -- probably 20-some years at least. It teaches  
7 de-escalation strategies, kind of the mindset that  
8 restraints should be used as the last resort, only in  
9 safety situations. It teaches preventative strategies,  
10 relief strategies, as well as safety strategies if  
11 situations have imminent danger involved.

12 Q And is it correct that you said that all of  
13 your staff is trained with the MindSet Curriculum?

14 A Correct.

15 Q And who provides that training?

16 A I do.

17 Q And how are you trained?

18 A I have been a MindSet trainer for 20 years.

19 Q And how is the MindSet Curriculum funded?

20 A Through our -- it's a part of our training  
21 budget.

22 Q And who provides that training budget?

23 A Generally it comes from the LEA contributed  
24 funds.

25 Q And you said generally. Does that ever come

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1 from other funds?

2 A I would say generally it's coming out of the  
3 LEA funds.

4 Q Is staff trained in any other crisis management  
5 protocols in addition to MindSet?

6 A We do de-escalation training in a number of  
7 different ways. LSCI has a de-escalation component. We  
8 do general de-escalation training as well. We do some  
9 sensory training as, you know, methods of de-escalation.  
10 So a lot of our trainings have that aspect and component  
11 to them.

12 Some of the training we do in terms of teaching  
13 kids emotional regulation strategies, but also coaching  
14 those emotional regulation strategies, obviously,  
15 dovetails into some of that. So there is a number of  
16 different ways that we come at that to reinforce the  
17 skills. So staff have a lot of tools in their tool belt  
18 for how to work with kids in those situations.

19 Q And who provides those trainings?

20 A Generally most of that comes from me.

21 Q And does NorthStar track the use of restraint?

22 A So -- so say that one more time. I'm sorry.

23 Q Does NorthStar track the use of restraint?

24 A Yes, we do.

25 Q How?

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1 A If a staff engages in any of that kind of  
2 intervention, there's a form that gets filled out.

3 Q Who fills it out?

4 A The person who initiated the restraint.  
5 Sometimes if multiple people were involved in different  
6 components, then we might have two staff, you know,  
7 contributing to the filling out of that form for who was  
8 most involved in that. It's handed in to a coordinator  
9 who then checks that documentation.

10 Q And what information is provided as part of  
11 that form?

12 A What was the precipitating? Obviously,  
13 demographic information; time it happened; duration of  
14 the event; precipitating conditions, you know, that  
15 preceded whatever the dangerous behavior was;  
16 interventions that were attempted; individuals involved;  
17 student behavior; staff behavior; duration -- I think I  
18 said that -- of the event; what type of intervention was  
19 provided within our continuum of -- of interventions.  
20 There's information on there about -- we contact parents  
21 with communication, both verbally and in writing. So  
22 when did that happen, when did the form get turned in to  
23 the coordinator, that kind of information.

24 Q If the coordinator thinks that there is any  
25 sort of error with the form, what are they directed to



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1 do?

2 A So they would go obviously meet with that team  
3 or whoever filled out the -- the form or was involved in  
4 that. It depends if it's clerical and informational,  
5 then obviously they would give that to staff to make sure  
6 the form was filled out correctly and all the necessary  
7 information was present.

8 If there was any kind of concerns about, I  
9 guess, the interventions that were used or that kind of  
10 thing, that would be debriefing and instruction, maybe  
11 retraining depending on what the situation required.

12 Q And when are these films (sic) required to be  
13 filled out?

14 A Pretty immediately within 24 hours for certain.

15 Q And is that typically what happens?

16 A Yes. Simply because if we wait much longer  
17 than that, details start to get fuzzy, so we try to get  
18 them done immediately.

19 Q Are their trends monitored?

20 A Yes.

21 Q How so?

22 A So again, we review those records pretty  
23 routinely, track the frequency of those interventions,  
24 and the students that are having a higher level of those  
25 interventions, we schedule them for things like treatment

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1 teams and, you know, to kind of look at what's happening  
2 and what we can be doing differently to decrease the  
3 frequency of those interventions.

4 Q And I think you mentioned this, are there -- is  
5 there debriefing or formal debriefing that occurs after a  
6 restraint?

7 A So there is immediate debriefing which is more  
8 around the mechanics of the restraint, you know, do we  
9 have people in the right places? Were people playing the  
10 right roles, that kind of thing.

11 And then there can be a -- if it's more a  
12 treatment planning kind of issue, then there can be a  
13 team meeting to kind of discuss more of those kind of  
14 issues.

15 Q And who would participate in that team meeting?

16 A It would depend on -- typically, it's the team  
17 that was involved. You know, it's a classroom team  
18 typically. A typical clinical staff would be their  
19 coordinator. Any support staff that have pushed in like  
20 behavior technicians or any of those things would also be  
21 involved.

22 Q It sounds like it's possible that there would  
23 be a -- a team meeting after a restraint. What factors  
24 would contribute to there being a debrief team meeting as  
25 opposed to not holding one?

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1           A    So mostly it's if we -- number one, if we felt  
2   like we need to put some new strategies in place to  
3   handle some variable that came up that maybe we hadn't  
4   experienced before or we had a response to an  
5   intervention that we hadn't had before, so we felt like  
6   we need to tweak, you know, the response to how we handle  
7   that situation.

8           A    Again, it could be if we just need to emphasize  
9   preventative strategies or put additional preventative  
10  strategies in place. Sometimes it's to make sure we've  
11  got staff in the right locations. Again, we have issues  
12  like elopement and those kind of things. It just  
13  requires -- sometimes that requires building-wide  
14  communication. So there could be lots of variables that  
15  we could be talking about in those meetings.

16          Q    So relatedly, does restraint trigger any  
17  evaluation of the student or the services that they are  
18  being provided?

19          A    It certainly can, yeah.

20          Q    Is there a BIP updated as a result of  
21  restraint?

22          A    So certainly in the treatment team meetings,  
23  you know, we are often adjusting strategies that we can  
24  be implementing. Sometimes we'll try those strategies  
25  before we fully integrate them into the BIP and to the

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1 IEP, but out of those treatment team meetings, we are  
2 always trying to come up with some different ways to  
3 approach the behavior that can cause a change in that  
4 behavior.

5 Q Are crisis plans ever created?

6 A Sure.

7 Q And you mentioned this, but when are parents  
8 and guardians notified when a student is restrained?

9 A So we do a verbal notification the day of, and  
10 then within 24 hours a letter goes home to notify, as  
11 well, typically the same day.

12 Q Do they -- do parents or guardians receive the  
13 form that was filled out?

14 A Yes.

15 Q Have you ever received a complaint either  
16 orally or written about a restraint?

17 A You know, we've certainly had situations where  
18 maybe -- and again, we're pretty proactive about trying  
19 to communicate up front, but maybe the students had a rug  
20 burn or something from something where a parent is  
21 called, and we have talked about those kind of issues.

22 MS. CHEVRIER: I'd like the court reporter to  
23 mark this document as Plaintiff's Exhibit 861.

24 (Plaintiff's Exhibit 861 was marked for  
25 identification.)

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1 Q BY MS. CHEVRIER: The Bates number, which is  
2 not on the document, is NORTHSTAR\_TEMP\_000025.

3 This is the FY '21 grant application, correct?

4 A Yes.

5 Q Do you recognize this document?

6 A I do.

7 Q Who completed this document?

8 A I did.

9 Q When was the FY '21 grant application  
10 submitted?

11 A So --

12 Q Is it June '21?

13 A Correct.

14 Q So it would have covered --

15 A Well, June of -- so we submit the grant -- yes,  
16 so June of '21, you are correct.

17 Q And so it would have covered information from  
18 the '20 to '21 --

19 A Correct.

20 Q -- school year?

21 A Correct.

22 Q Can we turn to page 9.

23 A Behavior management and de-escalation?

24 Q Yes. Do you see where it says that 23 students  
25 were restrained during this year?

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1 A Yes.

2 Q Do you agree with that number?

3 A I'm sure it's correct.

4 Q Do you see where it says that that's 24 percent  
5 of students?

6 A Correct.

7 Q And do you agree with that percentage?

8 A I assume we served around 100 students that  
9 year, so it's probably correct.

10 Q Is this a typical number of students that gets  
11 restrained each year?

12 A It varies.

13 Q What trends are there that you can identify as  
14 far as it varying?

15 A I haven't really compared year to year to be  
16 able to answer that recently.

17 Q Okay. This information provides the number of  
18 students restrained but not the number of times each  
19 student was restrained, correct?

20 A Correct.

21 Q Do you know how many times total each of these  
22 23 students were restrained?

23 A I would have to go back and look at records.

24 Q Do you know how many restraints have occurred  
25 so far this school year?

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1 A I wouldn't know that off the top of my head.

2 Q Do you see on this document where it says that  
3 95 students were de-escalated?

4 A Yes.

5 Q Do you see where it says that that represents  
6 100 percent of students?

7 A Okay. Yeah.

8 Q Do you agree with that number?

9 A Yeah. We served 95 kids that year.

10 Q Is this a typical number of students who are  
11 de-escalated in a school year?

12 A I would say it's very common that there is  
13 gonna be some point during the year that somebody is  
14 gonna be a little upset about something where they need  
15 some kind of verbal de-escalation, so that's not  
16 uncommon.

17 MS. CHEVRIER: I'd like the court reporter to  
18 mark this as Plaintiff's Exhibit 862.

19 (Plaintiff's Exhibit 862 was marked for  
20 identification.)

21 Q BY MS. CHEVRIER: And the Bates number for this  
22 document is GA00327496. This is an e-mail thread between  
23 you, Dr. Neal, and Vickie Cleveland from June 25th, 2018,  
24 correct?

25 A Yes.

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1 Q Do you recognize this e-mail?

2 A I don't really recall it, but I'm sure it's  
3 accurate.

4 Q Do you see where you wrote that, "Program-wide,  
5 16 students required restraint (68 restraints total)"?

6 A Yes.

7 Q Do you see where you wrote that 64 of these  
8 restraints occurred at the Dalton campus and four at the  
9 Blue Ridge campus?

10 A Yes.

11 Q And Blue Ridge again is the Fannin?

12 A Correct.

13 Q Which Fannin school would that have been?

14 A Again, not having the records, most commonly  
15 it's our elementary students that are requiring those  
16 kinds of intervention.

17 Q Okay. What do you think accounts for this  
18 large difference in restraint numbers?

19 A Part of it is just the students we were serving  
20 at that time. I have the most students in my Blue Ridge  
21 campus, so obviously, just a higher number of students, a  
22 lot more variability in the intensity of students can  
23 account for the differences.

24 Q Okay. I'm sorry, just to be clear, you said  
25 that you have the most students in Blue Ridge campus?



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1 A No, no, no, at the Dalton campus.

2 Q And below you wrote, "1 to 3 restraints - 8  
3 students," correct?

4 A Correct.

5 Q Does that mean one to three -- that eight  
6 students received one to three restraints?

7 A That is correct.

8 Q And is it correct that two students had seven  
9 to eight restraints?

10 A Correct.

11 Q And that one student had 14 restraints?

12 A Correct.

13 Q Can you describe the process for collecting  
14 data related to students' progress towards their  
15 behavioral goals?

16 A So as I mentioned earlier, we collect  
17 frequency, intensity, and duration data on all -- through  
18 a program we called our DCATS (phonetics) system, which  
19 is just an Excel spreadsheet that collects that data for  
20 us in an FBA-type of format.

21 So we collect that data all the time, and most  
22 all goals that are behavioral objectives are measured  
23 through that kind of format. It depends a little bit how  
24 the goal is structured, but oftentimes that's the data  
25 mechanism we are using.

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1 Q And are students' data only reviewed for  
2 readiness for transition before an IEP meeting or  
3 evaluation?

4 A It can be reviewed at any time. Sometimes it's  
5 for behavior planning. Sometimes it's just because a  
6 parent wants an update on how they are doing  
7 behaviorally. So there's lots of reasons we look at the  
8 data.

9 Q Has NorthStar ever requested an IEP meeting  
10 earlier than the standard annual IEP meeting to consider  
11 updating a student's LRE?

12 A All the time. I shouldn't say all the time.  
13 Lots of -- we have done that on lots of occasions.

14 Q About how many occasions in a school year?

15 A I would say most -- it's a little hard to  
16 answer because I think at every time we get together for  
17 an annual there's that discussion. And even if a kid,  
18 there is some anticipation that we are getting close to  
19 that point, it's mentioned at the annual IEP, and then we  
20 discuss timelines when we want to get back together to  
21 look at LRE.

22 So a lot of times that emanates, I guess, out  
23 of that annual IEP kind of discussion. But again, if we  
24 see a student that's really making progress and doing  
25 well and we think they are ready or a parent wants to

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1 look at that option, then we can call those meetings at  
2 any point in time.

3 Q What -- has there ever been a disagreement  
4 within an IEP meeting about what a student's LRE is?

5 A I mean, and certainly there's been some  
6 discussion about that. I would say we're -- I mean, I  
7 felt like our teams are really good about listening to  
8 everybody and kind of coming together and understanding  
9 everybody's perspective and trying to make the best  
10 decision based on, you know, what the committee as a  
11 totality thinks is the best option for that student.

12 Q So you can't remember any time that there was a  
13 disagreement about a student's LRE?

14 A I'm sure there has been, you know, times where  
15 maybe an individual provider had a different opinion as  
16 to what that option might be.

17 Q How frequently do those kinds of disagreements  
18 occur?

19 A Like I said, we're very good about eliciting  
20 different kinds of perspectives, and so we have those  
21 discussions, I would say pretty frequently. I can think  
22 of a handful of times where maybe there's been a strong,  
23 you know, disagreement between different team members.

24 Q And what happens when that occurs?

25 A The committee works it out as -- as a full

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1 committee, you know, really tries to hear out the  
2 different concerns and tries to collaborate to come up  
3 with a solution that everyone can kind of get on board  
4 with.

5 Q Can you describe the process for collecting  
6 data relating to student enrollment, scheduling, and  
7 academic records?

8 A So -- so enrollment happens through the  
9 individual counties. So tell me the other aspects you  
10 were talking about there.

11 Q Scheduling and academic records.

12 A Okay. So scheduling, we generally, again, look  
13 at how our counties schedule. It's a little bit variable  
14 based on the school that they come from, so we do  
15 generally try to align as much as possible to what they  
16 are doing in their local schools, but also to kind of get  
17 some consistency across kids in an individual classroom.  
18 So we kind of develop internal schedules for each of the  
19 academic core areas where kids need instruction.

20 Q Is there a single database or other portal  
21 where this information is stored?

22 A So that -- like during FTE counts, which is  
23 how -- how the schools get some of their funding, which  
24 we report in to. So there is some formal mechanisms for  
25 reporting in that. We do report courses to the counties

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1 that's maintained through their databases.

2 Q And can you sort by site?

3 A They can certainly -- you know, they have  
4 schools in most of those databases, and so you should --  
5 I think they have that ability to sort kind of by  
6 schools, so to speak.

7 Q And who is the host of this database?

8 A Each county has their own.

9 Q And so who has access to the county's database?

10 A Obviously, the appropriate county personnel,  
11 and depending on who is doing the data entry component,  
12 different levels of our staff could have access to some  
13 portions of that database.

14 Q Do you have access to all of those databases?

15 A Not -- not all of them necessarily.

16 Q Is there any information that you are missing  
17 that would be helpful for you to have?

18 A If there was, I could contact the county and  
19 work that out. If I'm missing any information, I usually  
20 contact the appropriate people, and they can get me  
21 access if I need different types of information.

22 Q What analysis does NorthStar run on its  
23 information?

24 A So obviously with like high school kids, we are  
25 watching courses and credits earned and that kind of

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1 thing, moving kids toward graduation. We are obviously  
2 watching things like instructional minutes and those kind  
3 of things to make sure our kids are getting the required  
4 instructional activities during those kinds of  
5 situations.

6 Q You answered my next three questions.

7 Does anyone use the database to ensure the  
8 students' identified special education needs are being  
9 addressed?

10 A So ask that one more time.

11 Q Is the database used to help ensure that  
12 students' identified special education needs are being  
13 addressed?

14 A Yeah. So, you know, the required -- to make  
15 sure the required minutes of required service on an IEP,  
16 yes, that would be monitored.

17 Q And does anyone use the database to ensure  
18 students' stated educational goals, like joining the  
19 military or applying to college, are being supported?

20 A Yes.

21 Q How so?

22 A So that is monitored and recorded on during the  
23 transition planning of the IEP but also kind of by  
24 coordinators throughout the year to make sure those  
25 activities are occurring.

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1 Q Are any reports run based on the information  
2 you put into a database specifically for GNETS students?

3 A So give me an example of a report you might be  
4 referring to.

5 Q Do you pull i-Ready information specific for  
6 GNETS students?

7 A Sure, yeah.

8 Q Do you report that i-Ready information to  
9 anybody?

10 A We do. We include it in the IEP.

11 Q Does -- do you send it to anywhere else?

12 A I'm trying to think if we reported that to  
13 GaDOE. GaDOE does have access to that information. We  
14 don't have to report it. They can pull --

15 Q Okay.

16 A -- the reports, so...

17 Q Do you report end-of-course Milestones to  
18 GaDOE?

19 A It automatically is reported.

20 Q Do you discuss those reports with anyone at  
21 GaDOE?

22 A I think they've done general summaries across  
23 all of the GNETS programs and then presented some of that  
24 information in directors meetings and whatnot. We have  
25 not had individual conversations.

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1 Q Are you familiar with GNETS Facilities  
2 Condition Assessment reports?

3 A I am.

4 Q Do you complete these?

5 A We have.

6 Q How frequently have you?

7 A So it kind of depends. So I've done it both  
8 with my Fannin County -- or that report requirement came  
9 out maybe two or three years ago. So I, that year, did  
10 them with Fannin County and with Pickens County.

11 Obviously, with the move into the new building and  
12 Whitfield County, we used that in terms of some of the  
13 conversations about that -- that location at that time.

14 Q To whom do you submit the Facilities Condition  
15 Assessment reports?

16 A It's usually to their maintenance and  
17 facilities management groups. Oh, you are talking about  
18 the results?

19 Q Yeah.

20 A I'm sorry. We keep those on file in case  
21 there's questions from GaDOE about any of those kinds of  
22 issues.

23 Q And does any part of the assessment get  
24 submitted to GaDOE?

25 A Not routinely. They can request it. We're



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1 supposed to keep it as part of our documentation.

2 Q Are the number of people who drop out of school  
3 tracked?

4 A We certainly track -- you know, the county  
5 tracks that data, obviously, by withdrawals and those  
6 kinds of things, and so we also track it on our student  
7 database.

8 Q And do dropouts count as dropouts from  
9 NorthStar or from the LEA home school?

10 A The LEA. Well, kind of both, but the LEA.

11 Q Are there additional efforts to get a student  
12 who drops out of school to return to school?

13 A I think there's, in general, pretty big efforts  
14 kind of stimulated from GaDOE to try to prevent -- you  
15 know, dropout prevention kinds of initiatives that have  
16 happened, and certainly we try to stay in contact with  
17 our students and check in on them, and just, you know,  
18 depending on where they are at, encourage their return  
19 when possible.

20 Q And what are those efforts? What do those  
21 efforts look like from NorthStar?

22 A So most of the time it's either a teacher who  
23 had a close relationship or one of the clinical staff  
24 just calling to check in and see how the students are  
25 doing and see if there's -- they are in a mindset where

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1 they might be interested in returning.

2 Q Are dropout numbers reported to GaDOE?

3 A I'm trying to think if that's on the grant  
4 anywhere. I don't recall. It may be.

5 Q Are there any other databases that we haven't  
6 discussed where student or program information is  
7 collected, stored or reported?

8 A So we've talked about SWIS. We've talked about  
9 the student. You know, so, obviously, a lot of the  
10 student information system data, things like Milestone  
11 reportings are now all dumped into a State database  
12 called the State Longitudinal Data System. So some of  
13 those kinds of -- that kind of information is  
14 consolidated across the state. Some of the IEP  
15 programs -- there's a State version of IEP programs that  
16 many of my districts use, so we enter IEP information  
17 into that system. So I'm trying to think. Those are the  
18 primary kinds of situations.

19 Q And who collects, updates, and maintains  
20 information for data collections and reports such as the  
21 certified classified personnel information?

22 A So that's partially maintained through the  
23 grant but also my HR support people here at RESA.

24 Q What about subject and location assignments,  
25 student class and course and service assignments?

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1 A So I think for most of that, that would be  
2 district based.

3 Q And same with student info and student records?

4 A Correct.

5 Q Who collects, analyzes, and provides the  
6 information for the State report card?

7 A So traditionally that's been myself.

8 Q And who collects, analyzes, and provides  
9 information necessary to provide the required right to  
10 know notification to parents about whether the teachers  
11 and paraprofessionals surveying their child is  
12 appropriately certified?

13 A It's my coordinators or I do that.

14 Q And who collects, analyzes, and provides  
15 information required under the 20-day notification rule?

16 A So let me clarify, because I thought the  
17 previous question was about the 20-day notification, so  
18 if you want to go back and let me know if that was a  
19 different question.

20 Q Sure. So that has to do with the right to know  
21 for whether or not teachers or paraprofessionals teaching  
22 their child is appropriately certified. The 20-day  
23 notification rule that I am referencing is specifically  
24 if --

25 A That is the notification that the teacher is

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1     uncertified.

2             Q     Yeah.

3             A     So it's kind of connected, I guess, in my mind.

4             Q     Okay, yeah.

5             A     Yeah.

6             Q     And who prepares the NorthStar response to  
7     GaDOE for the GNETS annual accountability report?

8             A     So again, a little bit terminology, because  
9     some of those things like report card and the annual  
10    accountability report have changed over the years into  
11    now we just do -- primarily the grant application  
12    includes a lot of those elements, so they have  
13    consolidated some of those, but generally that would be  
14    me.

15            Q     And is that true also for the strategic plan?

16            A     That's -- has been separate to some degree.  
17    Although, their -- again, that's being uploaded into the  
18    same database. We have something called the portal that  
19    we enter that information into, which is a State -- the  
20    State portal.

21            Q     And what about the comprehensive needs  
22    assessment?

23            A     Again, that was -- that's something that's  
24    evolved into the grant, so we used to have separate  
25    documents that we would present for all those things, and

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1 they've tried to streamline the system, and so all that  
2 is connected to the grant application and the strategic  
3 plan documents.

4 Q Do you submit any other data to GaDOE?

5 A I'm trying to think routinely outside of -- so  
6 there's obviously monitoring that happens with HR and  
7 budget and those kinds of things, so there's, you know,  
8 documents being submitted in regards to those kinds of  
9 activities, again, the PBIS stuff that we've talked  
10 about. Those would be the primary things I think that we  
11 report anything on.

12 Q Way earlier this morning we talked about  
13 collaborative communities.

14 A Yes.

15 Q Are those the same as GLRS or separate?

16 A GLRS facilitates those discussions. So the way  
17 the State department does that, from my understanding,  
18 is, the GLRS is the regional-based entity that they push  
19 information from GaDOE out through for the special  
20 education directors, and GLRS is just the entity that  
21 helps to deliver, you know, those regional-based  
22 trainings.

23 Q And who at the State helped set up the  
24 collaborative communities?

25 A I have no idea who facilitated that.

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1 Q Okay. But it was somebody from the State that  
2 set it up?

3 A Yeah. It's been that way for as long as I can  
4 remember, so I'm not sure how that originated.

5 Q That's okay.

6 And do you attend the GNETS director meetings?

7 A I do.

8 Q How often do those meetings occur?

9 A They are scheduled probably six times a year.

10 Q Who schedules them?

11 A Typically LaKesha is the one who sends out that  
12 notification. I'm sure she's coordinating with Vickie.

13 Q And that's LaKesha Stevenson and Vickie  
14 Cleveland?

15 A Yes.

16 Q And where are they held?

17 A They can be face-to-face, or, you know, again,  
18 post-COVID, a lot of that has been online. We are trying  
19 to do a combination now and get more into a combination  
20 of online and face-to-face.

21 Q And who leads the meetings?

22 A Vickie.

23 Q And what is the purpose of these meetings?

24 A So again, sometimes it's to make us aware of  
25 services and supports that are available through GaDOE.

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1 It could be to educate us on any new initiatives. So it  
2 could be things like we had an initiative to help get  
3 students more involved in facilitating and participating  
4 in their IEPs, so we have had training on those kinds of  
5 things that have come out of that. It could be, again,  
6 budget things. It could be just services and supports  
7 that are available. So sometimes it's GNETS-specific  
8 things that are going on, training and other things that  
9 are available, so...

10 Q Do you play --

11 MR. BEDARD: Just object to the form of the  
12 previous question.

13 Q BY MS. CHEVRIER: Do you play a role in those  
14 meetings?

15 A I participate.

16 Q And have those meetings changed at all during  
17 your time as director?

18 A Yes.

19 Q How so?

20 A So I would say in my initial time in GNETS they  
21 were a lot more director led, where now they are State  
22 department facilitated.

23 Q Throughout the day we've been discussing the FY  
24 '22 NorthStar grant application. This is the State  
25 grant, correct?

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1 A So say that one more time. I'm sorry.

2 Q Sure. We've been discussing the FY 2022  
3 NorthStar grant -- GNETS grant application, correct?

4 A Correct.

5 Q And this is that application for the State  
6 grant, correct?

7 A Correct.

8 Q And what does it secure for NorthStar?

9 A It ensures -- I mean, it's a requirement for  
10 continued funding and collaboration.

11 Q Can you describe the process for completing the  
12 GNETS grant application and the process that follows.

13 A So generally towards the end of the year we  
14 begin to complete the required documentation required  
15 within the portal. Some of that, it has to wait until  
16 the end of the year to be fully -- you know, to have all  
17 that data completely finalized.

18 We have a deadline that we usually have to  
19 submit that by, usually very slightly in terms of when  
20 that grant is due. That's also when we traditionally in  
21 the past have got things like assurances from the -- had  
22 the county sign their assurances and sign their  
23 intersystem agreements in terms of, you know, whatever  
24 their -- the agreement to contributions and things within  
25 the program, that's all submitted in and then reviewed



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1 over the next few months by folks at GaDOE.

2 Q Who establishes what information is required?

3 A That comes from GaDOE.

4 Q And who establishes the timeline for getting  
5 them information?

6 A That's established by GaDOE.

7 Q And do you have to make any judgments or  
8 establish priorities in order to complete the  
9 application?

10 A Rephrase the question, maybe.

11 Q Sure.

12 Basically it sounds like a heavy lift. Would  
13 you agree that it's a heavy lift to complete this grant  
14 application?

15 A It is, but in some ways we -- you know, it's  
16 been fairly consistent, so we kind of know the required  
17 information that's going to be required, so we prepare  
18 for that.

19 Q And you are who fills out the grant application  
20 primarily.

21 A Yes.

22 Q Is that correct?

23 A Between me and sometimes my finance people are  
24 helping with and human resources people help with some of  
25 that information.

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1 Q So do you have to make any judgments or  
2 establish priorities in order to get the application  
3 done?

4 A Certainly. It's -- you know, just in terms of  
5 time allocations and those kinds of things.

6 Q Are there on-site visits from someone at GaDOE  
7 in connection with the grant application process?

8 A So we have oversight for different components  
9 of that. Just, you know, as our systems are audited and  
10 those kind of things, certainly we have components of  
11 that that we are audited for as well. Our finance  
12 department is audited by GaDOE, so there is oversight  
13 from that level.

14 Q And do you receive feedback from GaDOE prior to  
15 approval?

16 A Certainly, if there is, you know, anything that  
17 needs to be adjusted or those kinds of things that could  
18 occur.

19 Q And does GaDOE formally approve the grant  
20 application?

21 A I guess technically, yes.

22 Q Does the GNETS grant prescribe what funds may  
23 be used for?

24 A So depending on what the money -- certainly  
25 there are restrictions, especially if it's federal money

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1 in terms of how those funds can be utilized.

2 Q For the money that comes from the State, is  
3 there -- like what level of specificity? Does it say,  
4 you know, you can use this money for a teacher, or does  
5 it say you can only use this money for a  
6 paraprofessional?

7 A Again, I don't know that there are -- you know,  
8 outside of the guidelines for, you know, ratios of staff  
9 and that kind of thing. So, for instance, I do think  
10 there is an expectation that there is a RESA director  
11 within the rule, and I think there are some positions  
12 that are specifically kind of listed and in that kind of  
13 document. But generally, since we have more staff than  
14 is covered, generally most of that State grant goes to  
15 cover staffing.

16 MS. CHEVRIER: I'd like the court reporter to  
17 please mark this document as Plaintiff's Exhibit 863.

18 (Plaintiff's Exhibit 863 was marked for  
19 identification.)

20 Q BY MS. CHEVRIER: This is an e-mail from you,  
21 Dr. Neal, to Nakeba Rahming from August 22nd, 2016,  
22 correct?

23 A Yes.

24 Q It's Bates numbered GA00063584.

25 Do you recognize this e-mail?

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1 A I'm reading it to see if I recall the  
2 situation.

3 Okay.

4 Q Do you recognize this e-mail?

5 A I don't really recall it, but I can probably  
6 speak to it just by reading kind of what the topic is  
7 here.

8 Q You don't have any reason to believe it was  
9 fabricated?

10 A No, no, no.

11 Q Do you see where you wrote, "We did have a  
12 copier quit working and due to the cost of replacement  
13 and the loss of internal servicing personnel, we have  
14 decided to lease. Please let me know the procedure we  
15 need to use for approval or if there are any other issues  
16 of concern"?

17 A Uh-huh.

18 Q Sorry, is that yes?

19 A Yes.

20 Q Is it correct that you were asking Nakeba  
21 Rahming what permission, if any, you needed to pay for  
22 the lease of a copier?

23 A Correct. So always in the past -- and again,  
24 this was a new GNETS director question that I had never  
25 had to deal with, so, and since I had a new finance

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1 person who was a little less familiar with policies and  
2 procedures for documenting and requesting these kinds of  
3 services, we were just checking policy and procedure to  
4 make sure we were in alignment.

5 Q And what -- do you remember what her response  
6 was?

7 A I don't.

8 Q What kind of --

9 A I'm sure she informed us of the policy and  
10 procedure, but...

11 Q What kinds of expenses are covered by GNETS  
12 State grant?

13 A So again, traditionally how we've allocated  
14 those grant moneys is a lot of that -- I mean, the entire  
15 budget goes across different areas, but a lot of the  
16 State grant in particular, as well as the federal moneys  
17 that we receive, has been allocated to staffing, but it  
18 can go for operational expenses, instructional materials,  
19 that kind of thing, but we tend to take those more out of  
20 local moneys.

21 Q Are there any program expenses that are  
22 explicitly not covered by the GNETS grant?

23 A I mean, there is certainly expenses above and  
24 beyond what the grant can cover.

25 Q But is there anything like earmarked that they

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1 won't pay for?

2 A I mean, there is definitely restrictions on  
3 federal money and what you can spend that on. Again,  
4 since we've used it primarily for staffing and direct  
5 operational expenses, not that I can really think of.

6 MS. CHEVRIER: I'd like the court reporter to  
7 please mark this document as Plaintiff's Exhibit 864.

8 (Plaintiff's Exhibit 864 was marked for  
9 identification.)

10 MR. NGUYEN: While that is being done, can I  
11 get the videographer to let us know how much time is  
12 left, please?

13 THE VIDEOGRAPHER: Sure. One moment.

14 MR. NGUYEN: Thank you.

15 Q BY MS. CHEVRIER: This is an e-mail exchange  
16 between you, Dr. Neal, and Vickie Cleveland from May 8th  
17 and 9th, 2018, correct?

18 A Yes.

19 Q Do you recognize this e-mail?

20 A Again, let me read it for a second.

21 MR. NGUYEN: I'm sorry, did we get an answer on  
22 how much time is left?

23 THE VIDEOGRAPHER: Yeah, we are at six hours  
24 and 49 minutes.

25 MR. NGUYEN: Thanks.

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1 THE WITNESS: Okay.

2 Q BY MS. CHEVRIER: Do you see that it says that  
3 there is an attachment titled "NorthStar Services  
4 Revised"?

5 A Yes.

6 Q Let's look at that. It's Bates number  
7 GA003211258. Do you recognize this document?

8 A I honestly don't remember creating it, but I'm  
9 sure it's accurate.

10 Q Do you see where it says "Source of Funds" on  
11 the right-hand side?

12 A Yes.

13 Q Underneath, either it says "State Grant" or  
14 "Local Funds"?

15 A Yes.

16 Q And State grant means the grant that you get  
17 from GaDOE?

18 A Correct.

19 Q And local funds means contributed from one of  
20 the six counties that you work with?

21 A Correct.

22 Q And according to this chart, the State pays for  
23 i-Ready reading and math, correct?

24 A Correct. At that time they did.

25 Q Do they not anymore?

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1 A It's variable.

2 Q Is it correct that all the behavioral and  
3 therapeutic services provided are paid for by the State  
4 grant, according to this chart?

5 A So say that one more time.

6 Q Is it correct that all of the behavioral and  
7 therapeutic services provided are paid for by the State  
8 grant according to this chart?

9 A I think, as I'm reading this, some of it was.  
10 At least the interventions were also locally funded.

11 Q Okay. And what does it mean that PBIS, all  
12 staff are paid for by the State grant?

13 A Just that all staff are involved in the  
14 implementation of the PBIS initiative and any expenses.  
15 And I don't know if this is in regards to training, at  
16 least would be kind of out of State grant moneys. That  
17 certainly wouldn't include some of the incentives, which  
18 we do out of more local or donated funds, but...

19 Q And are you aware of any changes being made to  
20 the grant process for this upcoming school year?

21 A We have not been informed of anything regarding  
22 the State grant yet.

23 Q What is the GNETS strategic plan?

24 A It is a document that was created to help  
25 ensure a minimal level of service being provided to all



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1 students within the GNETS programming.

2 MS. CHEVRIER: I'd like to ask the court  
3 reporter to mark this document as Plaintiff's Exhibit  
4 865.

5 (Plaintiff's Exhibit 865 was marked for  
6 identification.)

7 Q BY MS. CHEVRIER: Bates numbered GA00040610.  
8 This is an e-mail between you, Dr. Neal, and Nakeba  
9 Rahming and other GNETS directors dated February 8th,  
10 2016, correct?

11 A Okay.

12 Q Do you recognize this e-mail?

13 A Again, I would have to read it to entirely get  
14 familiar here, but...

15 Q Do you have any reason to believe it was  
16 fabricated?

17 A No, I do not.

18 Q Let's turn to the second page.

19 A Okay.

20 Q Do you see in the second paragraph where it  
21 says, "Remember that the strategic plan will be your  
22 guiding document for practice and what you would be  
23 responsible for overseeing at your sites. A project  
24 management plan is being developed as a guiding document  
25 for the state responsibilities and what we will be doing

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1 to support you and your work with the GNETS program"?

2 A Yes.

3 Q What did you understand by "guiding document  
4 for practice"?

5 A So eventually kind of what was created as a  
6 supporting document, I guess that had a little more  
7 exemplars as to what was required in each kind of section  
8 of the strategic plan.

9 Q And to your knowledge, was a project management  
10 plan ever developed?

11 A I don't recall something with that title, but  
12 certainly we got a guidance document.

13 MS. CHEVRIER: I'd like the court reporter to  
14 please mark this as Plaintiff's Exhibit 867.

15 THE REPORTER: 866.

16 MS. CHEVRIER: Oh, 866. Thank you.

17 (Plaintiff's Exhibit 866 was marked for  
18 identification.)

19 Q BY MS. CHEVRIER: This is a document that is  
20 titled "Strategic Plan Implementation Fidelity Checklist  
21 & Self-Assessment Rubric," correct?

22 A Yes.

23 Q Internal Bates stamp is NORTHSTAR\_TEMP\_000212,  
24 although it's not present on the document.

25 Do you recognize this document?

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1 A I do.

2 Q What is this document?

3 A It's the strategic planning document.

4 Q Will you please turn to page 6.

5 A Okay.

6 Q This section is about program leadership and  
7 accountability, correct?

8 A I have behavior support and therapeutic  
9 services on page 6. Actually, the numbered page 6. Are  
10 we talking actual? Is there a different to the actual  
11 number?

12 Q Yeah, that might be. Let's go to the place  
13 where it says "Leadership and Accountability," so it's at  
14 the page right before, yeah.

15 A There we go.

16 Q Do the blacked-out squares indicate the  
17 selection for NorthStar?

18 A They do.

19 Q Each item has the option to rank it as  
20 operational, emerging, or not evident, correct?

21 A Correct.

22 Q And is operational the best status?

23 A Yes.

24 Q And is -- and then emerging and then not  
25 evident?

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1 A Correct.

2 Q So is it correct that you received top scores  
3 or operational for each of the items in the leadership  
4 and accountability category?

5 A Yes.

6 Q And the next section is "Behavior Support and  
7 Therapeutic Services," correct?

8 A Correct.

9 Q And NorthStar received emerging for  
10 implementation of PBIS, correct?

11 A Correct.

12 Q Why was that?

13 A Our suspension rate was higher than the first  
14 year of our implementation of the PBIS program, so that  
15 kicked us down into the emerging category.

16 Q And the next section, "Instructional/Academic  
17 Support" a couple pages past.

18 A There we go.

19 Q Is it correct that NorthStar received emerging  
20 for ensuring teachers maintain a positive and  
21 academically challenging learning environment?

22 A That is correct.

23 Q And this school year, are you going to be  
24 required to submit a strategic plan?

25 A As far as I'm aware.

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1 Q And have you in the previous -- did you in the  
2 previous school year as well?

3 A Uh-huh. We do an internal midyear assessment,  
4 and then we do an end-of-year assessment.

5 Q And has that been the case for each of the  
6 years that you've been?

7 A Yes. The only exception, that might have been  
8 2019 when we were out for the pandemic. I'm not sure we  
9 submitted an end-of-year that year.

10 MS. CHEVRIER: Okay. Can I -- can we go off  
11 the record for a moment?

12 THE VIDEOGRAPHER: Sure. Going off the video  
13 record at 6:09 p.m.

14 (The deposition was at recess from 6:09 p.m. to  
15 6:16 p.m.)

16 THE VIDEOGRAPHER: We are back on the video  
17 record at 6:16 p.m.

18 You may proceed.

19 Q BY MS. CHEVRIER: Earlier you mentioned that  
20 you received trainings by Amber McCollum at GaDOE?

21 A Uh-huh.

22 Q Do you remember the nature of those trainings?

23 A It's regard to budgetary issues and rules and  
24 regulations.

25 Q Did she provide you any information about any

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1 updated funding streams?

2 A I really don't recall.

3 Q And do you remember how many different  
4 trainings were provided by Amber McCollum?

5 A I can think of a couple over my time as  
6 director.

7 Q And -- and "a couple" is at least two?

8 A Right.

9 Q What portion of the day does a student have to  
10 be present in order to be marked present?

11 A That would be consistent with the State  
12 guidelines for that, so typically it's beyond half a day.

13 Q Okay. Just for the record, earlier you said  
14 that your name is Jacqueline Neal, but your e-mails say  
15 Jacqie Neal. You identify as Jacqie Neal as well?

16 A Yes, yes. That's short.

17 Q And that's J-a-c-q-i-e?

18 A That's correct.

19 Q Thank you.

20 You've mentioned a number of times the new  
21 funding formula that you developed to get the counties  
22 that send students to NorthStar to pay for a portion of  
23 those services. Did you discuss that new funding formula  
24 with GaDOE?

25 A I mean, I think they certainly were aware that

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1 some of us were struggling with that issue. Again, I  
2 think you presented an e-mail earlier where I at least  
3 had shared that with Nakeba at that time, at least the  
4 talking points I was using with instructors.

5 Q And do you remember any -- the content of any  
6 of those conversations that you had with Nakeba Rahming  
7 or anybody else from GaDOE about the new funding stream  
8 or funding --

9 A I don't --

10 Q -- formula?

11 A -- recall.

12 Q Okay. Do you know whether you spoke to anybody  
13 else in addition to Nakeba Rahming?

14 A I don't recall anyone else.

15 MS. CHEVRIER: And those are all the questions  
16 I have for you. The State might still have questions for  
17 you.

18 THE WITNESS: Okay.

19 MS. CHEVRIER: But I don't.

20 THE WITNESS: I appreciate it.

21

22 EXAMINATION

23 BY MR. BEDARD:

24 Q Hi, Dr. Neal. This is Ed Bedard on behalf of  
25 the State. I've just got a few questions. Hopefully I

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1 can move through them pretty quickly and get everybody  
2 out of here.

3 Who -- and I apologize if we are going to  
4 retread some ground. It's been a long deposition, so  
5 I'll try to avoid that as much as possible.

6 Who makes the ultimate decision about whether a  
7 student receives GNETS services or not?

8 A The IEP team.

9 Q And who makes up the IEP team?

10 A So the LEA is present at that meeting, the  
11 parent, oftentimes the student, a regular education  
12 teacher, and a special education teacher.

13 Q Is there ever a member of or an employee of the  
14 State that's a member of that IEP team?

15 A No. I can think of no occasion where that  
16 was -- a State person was present.

17 Q Are you aware of any instance in which the  
18 State participated in a decision for a student to receive  
19 GNETS services?

20 A No.

21 Q Are you aware of any instances in which the  
22 State compelled your program to make a particular  
23 decision regarding a student's placement?

24 A No.

25 Q Has the State ever encouraged you to keep a



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1 student in GNETS when their IEP recommended otherwise?

2 A Never.

3 Q I think we talked a little bit about  
4 evaluations before. Does your staff receive evaluations  
5 on their performance?

6 A They do.

7 Q Who conducts those?

8 A I do.

9 Q Does the State conduct any evaluations of your  
10 staff performance?

11 A No.

12 Q Does the State conduct any evaluations of your  
13 performance?

14 A No.

15 Q Does the State participate in your program's  
16 personnel decisions?

17 A No.

18 Q Does it participate in decisions to hire or  
19 fire any individual staff person?

20 A No.

21 Q Okay. For facilities and transportations, who  
22 do you -- for your facilities, who do you contact for  
23 various service-related questions like maintenance  
24 requests, technology troubles, supply requests, that sort  
25 of thing? Who do you contact to handle those issues?

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1 A So that would be the local education agency  
2 that owns and operates that building.

3 Q Okay. And we've talked today about a variety  
4 of different situations or a variety of different  
5 circumstances in which GNETS classrooms are placed  
6 sometimes, you know, in other gen ed buildings, sometimes  
7 in their own buildings. Who makes the determination how  
8 the building, you know, programs are in -- are utilized?

9 A That is the decision of the local education  
10 agencies.

11 Q Who makes decisions on specific classroom  
12 assignments?

13 A The local education agency. That's usually the  
14 host district.

15 Q Okay. The last couple of questions here. In  
16 fact, this would be -- well, yeah, last couple of  
17 questions.

18 You said earlier today that it would be  
19 beneficial for students to interact with their  
20 nondisabled peers. Is that true for all students in  
21 GNETS?

22 A No, I don't believe it is.

23 Q Okay. Would it be harmful for some students?

24 A I believe that a full continuum is required for  
25 students. So for some students, the level of anxiety or

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1 even sometimes when their behaviors are at an extremely  
2 high level, it can set them up for a lot of kind of  
3 negative reactions from peer groups that can be damaging  
4 to the self-esteem, as well as the students' sense of  
5 self-efficacy. So in some of those situations it's not  
6 beneficial.

7 Q Are there times when it might be beneficial for  
8 an individual student but other times when it may not be  
9 beneficial for that student?

10 A That is true.

11 Q Would you say it depends on individualized  
12 circumstances for each student as to whether interactions  
13 with their nondisabled peers would be beneficial for them  
14 or not?

15 A I agree with that.

16 Q Who would make the type of decision regarding  
17 the amount of interaction with nondisabled peers for any  
18 individual student?

19 A I believe the IEP team is the best entity to  
20 make that decision.

21 MR. BEDARD: Okay. That's all the questions I  
22 have.

23 THE WITNESS: All right. Thank you.

24 MR. BEDARD: Thank you, Dr. Neal.

25 THE VIDEOGRAPHER: Anybody else?

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1 All right. Before we go off the video record,  
2 Ms. Chevrier, would you like a video copy of the  
3 deposition?

4 MS. CHEVRIER: Yeah, we have a standing order.

5 THE VIDEOGRAPHER: Okay. Got it.

6 And Mr. Nguyen, would you like a video copy of  
7 the deposition? Mr. Nguyen can you hear me?

8 Okay. All right.

9 MR. NGUYEN: Yes. I'm sorry. I think you were  
10 talking to me. This is Hieu. I do not need a copy of  
11 the transcript.

12 THE VIDEOGRAPHER: And what about the video?

13 MR. NGUYEN: Nor the video.

14 THE VIDEOGRAPHER: All right. With that being  
15 said, this concludes the deposition of Dr. Jacqie Neal.  
16 We are going off the video record on January 19th, 2023  
17 at 6:24 p.m.

18 (The deposition concluded at 6:24 p.m.)  
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CERTIFICATE OF REPORTER

STATE OF GEORGIA       )  
                                  )  
COUNTY OF DEKALB     )

I, Marcella Daughtry, a Certified Reporter in the State of Georgia and State of California, do hereby certify that the foregoing deposition was taken before me in the County of DeKalb, State of Georgia; that an oath or affirmation was duly administered to the witness, JACQUELINE NEAL, Ph.D.; that the questions propounded to the witness and the answers of the witness thereto were taken down by me in shorthand and thereafter reduced to typewriting; that the transcript is a full, true and accurate record of the proceeding, all done to the best of my skill and ability;

The witness herein, JACQUELINE NEAL, Ph.D., has requested signature.

I FURTHER CERTIFY that I am in no way related to any of the parties nor am I in any way interested in the outcome hereof.

IN WITNESS WHEREOF, I have set my hand in my office in the County of DeKalb, State of Georgia, this 31st day of January, 2023.



Marcella Daughtry, RPR, RMR  
GA License No. 6595-1471-3597-5424  
California CSR No. 14315

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3 DECLARATION UNDER PENALTY OF PERJURY

5 I declare under penalty of perjury that I  
6 have read the entire transcript of my deposition taken in  
7 the above-captioned matter or the same has been read to  
8 me, and the same is true and accurate, save and except  
9 for changes and/or corrections, if any, as indicated by  
10 me on the DEPOSITION ERRATA SHEET hereof, with the  
11 understanding that I offer these changes as if still  
12 under oath.

14 Signed on the \_\_\_\_\_ day  
15 of \_\_\_\_\_ 2023.

19 \_\_\_\_\_  
20 JACQUELINE NEAL, Ph.D.

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JACQUELINE NEAL, Ph.D.